

## Office of the Attorney General



### Department Description

The Department of Justice envisions a drug-free state where our laws encourage justice; all of our natural and financial resources are protected; our citizens have the opportunity to grow up in a healthy environment; and a state where Louisianians feel safe in their communities and all offenders suffer the consequences of committing a crime.

In order to realize the mission, the Department of Justice strives to serve the state by:

- providing the highest level of competence and integrity in representing the state
- respecting the rights of citizens of Louisiana with compassion while enforcing and defending the laws of the state
- providing a powerful voice for victims
- instilling in employees a sense of pride and maximize their productivity to its fullest potential in order to provide better services to the citizens of Louisiana.

For additional information, see:

[Office of the Attorney General](#)

[The National Association of Attorneys General](#)

### Office of the Attorney General Budget Summary

	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
<b>Means of Financing:</b>						
State General Fund (Direct)	\$ 10,527,656	\$ 12,938,082	\$ 12,855,005	\$ 14,062,387	\$ 13,582,372	\$ 727,367
<b>State General Fund by:</b>						
Total Interagency Transfers	12,371,443	13,593,975	13,593,975	14,171,222	14,714,753	1,120,778



## Office of the Attorney General Budget Summary

	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
Fees and Self-generated Revenues	1,613,517	4,487,864	4,495,714	4,306,875	4,153,563	(342,151)
Statutory Dedications	4,928,158	5,479,368	5,932,407	5,687,551	5,773,411	(158,996)
Interim Emergency Board	0	0	0	0	0	0
Federal Funds	1,878,573	1,583,975	1,926,642	1,893,497	1,882,344	(44,298)
<b>Total Means of Financing</b>	<b>\$ 31,319,347</b>	<b>\$ 38,083,264</b>	<b>\$ 38,803,743</b>	<b>\$ 40,121,532</b>	<b>\$ 40,106,443</b>	<b>\$ 1,302,700</b>
<b>Expenditures &amp; Request:</b>						
Office of the Attorney General	\$ 31,319,347	\$ 38,083,264	\$ 38,803,743	\$ 40,121,532	\$ 40,106,443	\$ 1,302,700
<b>Total Expenditures &amp; Request</b>	<b>\$ 31,319,347</b>	<b>\$ 38,083,264</b>	<b>\$ 38,803,743</b>	<b>\$ 40,121,532</b>	<b>\$ 40,106,443</b>	<b>\$ 1,302,700</b>
<b>Authorized Full-Time Equivalents:</b>						
Classified	0	0	0	0	0	0
Unclassified	456	458	458	458	458	0
<b>Total FTEs</b>	<b>456</b>	<b>458</b>	<b>458</b>	<b>458</b>	<b>458</b>	<b>0</b>



## 04-141 — Office of the Attorney General

### Agency Description

The mission of the Office of the Attorney General is to achieve excellence by providing superior public legal representation, professional and effective law enforcement, and assertive public advocacy to the State of Louisiana in the most efficient and cost-effective manner possible.

The goals of the Office of the Attorney General are:

- I. Provide superior legal and professional services to the State of Louisiana.
- II. Develop a working environment that encourages competent individuals to pursue career employment in the Department of Justice.
- III. Develop a state-of-the-art management information system.
- IV. Improve the process of recovering monies owed to the State of Louisiana and limit the liabilities of the state.
- V. Improve cooperative working relationships with federal, state, and local agencies and private sector organizations.
- VI. Establish criteria for measuring activity.
- VII. Make public service information accessible to the citizens of Louisiana.

The Department of Justice is under the direction of the Attorney General, who is authorized under Article IV, Section 8, of the Louisiana Constitution of 1974, to exercise all functions related to being the chief legal officer of the state.

The Department of Justice, Office of the Attorney General, has five programs: Administrative, Civil Law, Criminal Law and Medicaid Fraud, Risk Litigation, and Gaming.

For additional information, see:

[Office of the Attorney General](#)

### Office of the Attorney General Budget Summary

	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
<b>Means of Financing:</b>						
State General Fund (Direct)	\$ 10,527,656	\$ 12,938,082	\$ 12,855,005	\$ 14,062,387	\$ 13,582,372	\$ 727,367
<b>State General Fund by:</b>						
Total Interagency Transfers	12,371,443	13,593,975	13,593,975	14,171,222	14,714,753	1,120,778



## Office of the Attorney General Budget Summary

	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
Fees and Self-generated Revenues	1,613,517	4,487,864	4,495,714	4,306,875	4,153,563	(342,151)
Statutory Dedications	4,928,158	5,479,368	5,932,407	5,687,551	5,773,411	(158,996)
Interim Emergency Board	0	0	0	0	0	0
Federal Funds	1,878,573	1,583,975	1,926,642	1,893,497	1,882,344	(44,298)
<b>Total Means of Financing</b>	<b>\$ 31,319,347</b>	<b>\$ 38,083,264</b>	<b>\$ 38,803,743</b>	<b>\$ 40,121,532</b>	<b>\$ 40,106,443</b>	<b>\$ 1,302,700</b>
<b>Expenditures &amp; Request:</b>						
Administrative	\$ 3,125,951	\$ 5,075,127	\$ 5,136,894	\$ 5,865,340	\$ 8,149,728	\$ 3,012,834
Civil Law	7,192,486	10,928,131	10,934,914	11,015,298	8,229,903	(2,705,011)
Criminal Law and Medicaid Fraud	5,271,534	5,039,516	5,255,416	5,517,953	5,379,801	124,385
Risk Litigation	10,930,444	11,974,793	11,974,793	12,474,276	13,017,807	1,043,014
Gaming	4,798,932	5,065,697	5,501,726	5,248,665	5,329,204	(172,522)
<b>Total Expenditures &amp; Request</b>	<b>\$ 31,319,347</b>	<b>\$ 38,083,264</b>	<b>\$ 38,803,743</b>	<b>\$ 40,121,532</b>	<b>\$ 40,106,443</b>	<b>\$ 1,302,700</b>
<b>Authorized Full-Time Equivalents:</b>						
Classified	0	0	0	0	0	0
Unclassified	456	458	458	458	458	0
<b>Total FTEs</b>	<b>456</b>	<b>458</b>	<b>458</b>	<b>458</b>	<b>458</b>	<b>0</b>



## 141\_1000 — Administrative

Program Authorization: Louisiana Constitution; Article IV, Section 8 and Section 13; R.S. 36:704(B)

### Program Description

The mission of the Administrative Program is to achieve excellence by providing superior services to the citizens of Louisiana, the employees of the Department of Justice, and all governmental entities.

The goals of the Administrative Program are:

- I. Provide efficient and superior professional services to our customers and the citizens of Louisiana.
- II. Develop a working environment that encourages competent individuals to seek career employment in the Department of Justice.
- III. Develop a state-of-the-art management information system.
- IV. Make public service information accessible to the citizens of Louisiana.
- V. Improve cooperative working relationships with federal, state, and local agencies and private sector organizations.

The Administrative Program includes the following activities: the Executive Office of the Attorney General, the First Assistant Attorney General, and the Administrative Services Division.

The Administrative Services Division activity is responsible for the coordination of the department's budget and legislative and departmental planning, and provides general services to the department by coordinating professional services contracts, intra/interoffice mail distribution, employee training and development, and other administrative services for the efficient management of the department. The division is currently divided into seven sections: Finance; Human Resources/Payroll; Purchasing; Property Control, Fleet and Telecommunications; Management Information Systems; Governmental; and Drug Policy.

- The Finance Section is responsible for receiving and classifying all revenues, processing vendor payments, employee reimbursements, collecting outstanding student loans, and preparing fiscal reports in accordance with established policy and procedures.
- The Human Resource/Payroll Section is responsible for the processing of all new and existing employees.
- The Purchasing Section coordinates all purchases for the department.
- The Property Control/Fleet/Telecommunications Section maintains inventory of all movable property purchased by the department, handles fleet for the department, and purchases and coordinates installation of all telecommunications equipment.
- The Management Information Systems Section coordinates all information technology services for the department. This includes: assisting divisions in analyzing their computer equipment and technology needs, purchasing computer hardware and software, designing custom applications, training department employees in the use of hardware and software, responding to requests for computer service through the operation of a help desk, and maintaining a wide area network linking 450 computer users.



- The Governmental Section provides assistance to local officials and public entities and responds to constituent requests.
- The Drug Policy Section, through empowerment, public awareness, and education, develops and supports initiatives that respond to the needs and improve the quality of life for all Louisianans. Programs include youth education and empowerment, teacher in-service training, community awareness seminars on anti-alcohol, drug and violence prevention, and gang abatement, school safety training, peer mediation/conflict resolution training, and domestic violence in the workplace training.

## Administrative Budget Summary

	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
<b>Means of Financing:</b>						
State General Fund (Direct)	\$ 2,653,932	\$ 4,795,242	\$ 4,795,242	\$ 5,549,921	\$ 5,434,309	\$ 639,067
<b>State General Fund by:</b>						
Total Interagency Transfers	244,313	262,239	262,239	297,773	297,773	35,534
Fees and Self-generated Revenues	18,801	17,646	17,646	17,646	2,417,646	2,400,000
Statutory Dedications	37,506	0	0	0	0	0
Interim Emergency Board	0	0	0	0	0	0
Federal Funds	171,399	0	61,767	0	0	(61,767)
<b>Total Means of Financing</b>	<b>\$ 3,125,951</b>	<b>\$ 5,075,127</b>	<b>\$ 5,136,894</b>	<b>\$ 5,865,340</b>	<b>\$ 8,149,728</b>	<b>\$ 3,012,834</b>
<b>Expenditures &amp; Request:</b>						
Personal Services	\$ 2,279,494	\$ 2,310,394	\$ 2,289,139	\$ 2,531,010	\$ 2,679,557	\$ 390,418
Total Operating Expenses	438,518	390,487	411,734	446,535	399,487	(12,247)
Total Professional Services	121,795	44,955	72,709	19,397	19,214	(53,495)
Total Other Charges	263,327	2,099,917	2,131,250	2,810,862	5,018,470	2,887,220
Total Acq & Major Repairs	22,817	229,374	232,062	57,536	33,000	(199,062)
Total Unallotted	0	0	0	0	0	0
<b>Total Expenditures &amp; Request</b>	<b>\$ 3,125,951</b>	<b>\$ 5,075,127</b>	<b>\$ 5,136,894</b>	<b>\$ 5,865,340</b>	<b>\$ 8,149,728</b>	<b>\$ 3,012,834</b>
<b>Authorized Full-Time Equivalents:</b>						
Classified	0	0	0	0	0	0
Unclassified	50	50	50	50	65	15
<b>Total FTEs</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>65</b>	<b>15</b>



## Source of Funding

This program is funded with State General Fund, Interagency Transfers and Fees and Self-generated Revenues. Interagency transfers are provided from the Louisiana Commission on Law Enforcement to provide educational programming to youths, domestic violence training, and a comprehensive approach to insuring safe schools. Fees and Self-generated revenues are provided from Louisiana Commission on Law Enforcement generated from private donations for the safe schools resource center project. (Per R.S. 39.36B. (8), see table below for a listing of expenditures out of each Statutory Dedicated Fund.)

## Administrative Statutory Dedications

Fund	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
Deficit Elimination/Capital Outlay Replenishment	\$ 37,506	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

## Major Changes from Existing Operating Budget

General Fund	Total Amount	Table of Organization	Description
\$ 0	\$ 61,767	0	<b>Mid-Year Adjustments (BA-7s):</b>
\$ 4,795,242	\$ 5,136,894	50	<b>Existing Oper Budget as of 12/02/03</b>
<b>Statewide Major Financial Changes:</b>			
\$ 74,682	\$ 74,682	0	Unclassified State Employees Merit Increases
\$ 22,560	\$ 22,560	0	State Employee Retirement Rate Adjustment
\$ 23,440	\$ 23,440	0	Group Insurance for Active Employees
\$ 147,691	\$ 147,691	0	Group Insurance for Retirees
\$ (41,705)	\$ (41,705)	0	Attrition Adjustment
\$ (28,115)	\$ (28,115)	0	Salary Funding from Other Line Items
\$ 57,536	\$ 57,536	0	Acquisitions & Major Repairs
\$ (229,374)	\$ (231,563)	0	Non-Recurring Acquisitions & Major Repairs
\$ 0	\$ (61,767)	0	Non-recurring Carry Forwards
\$ 14,485	\$ 14,485	0	Risk Management
\$ (14,190)	\$ (14,190)	0	Legislative Auditor Fees
\$ 678,167	\$ 678,167	0	Rent in State-Owned Buildings
\$ 957	\$ 957	0	UPS Fees
<b>Non-Statewide Major Financial Changes:</b>			
\$ (130,350)	\$ (130,350)	0	Non-recur of additional one-time move costs associated with the Livingston Building.
\$ 10,500	\$ 10,500	0	Additional maintenance contracts on information technology equipment due to expired warranties.
\$ 0	\$ 37,723	0	Realignment of expenditures funded with Interagency Transfers (IAT) from various state agencies. This adjustment allows the department to adjust the expenditures amounts based on the IAT agreements from each state agency.
\$ 36,000	\$ 36,000	0	Annualization of the Office of Telecommunication dataport charges for the Livingston Building.



## Major Changes from Existing Operating Budget (Continued)

General Fund	Total Amount	Table of Organization	Description
\$ 81,840	\$ 81,840	0	Funding to the Office of Telecommunication for 220 additional dataports in the Livingston Building.
\$ 0	\$ 2,400,000	15	Transfer of the Collections Division in the Civil Law Program to the Administrative Program. This will allow the department to consolidate all administrative functions into one program. The legal function of the Collections Division will remain in the Civil Law Program.
\$ 26,000	\$ 26,000	0	Funding increase for additional security issues within the Livingston building, including turnstiles in the front lobby and additional card readers for the investigation interview rooms.
\$ 5,522	\$ 5,522	0	Funding to increase the attorney salary scale to a level of pay that is comparable to the State Civil Service pay scale. Based on the current State Civil Service pay scale, the Department of Justice's maximum attorney salary level is approximately 6-15% less than State Civil Service maximum salary level for comparable positions. This increase in funding would equate to an approximate 7.5% increase to the base salary for each attorney.
\$ (74,019)	\$ (74,019)	0	Group Insurance Funding from Other Line Items
\$ (22,560)	\$ (22,560)	0	Retirement Funding from Other Line Items
\$ 5,434,309	\$ 8,149,728	65	<b>Recommended FY 2004-2005</b>
\$ 380,402	\$ 380,402	11	<b>Less Governor's Supplementary Recommendations</b>
\$ 5,053,907	\$ 7,769,326	54	<b>Base Executive Budget FY 2004-2005</b>
<b>Supplementary - Renewal of the Suspension of Exemptions for various business sales transactions including non-residential utilities.</b>			
\$ 380,402	\$ 380,402	11	This represents 7% of the State General Fund and 4.7% of the Total Recommended funding for the program.
\$ 380,402	\$ 380,402	11	<b>Total Supplementary - Renewal of the Suspension of Exemptions for various business sales transactions including non-residential utilities.</b>
\$ 5,434,309	\$ 8,149,728	65	<b>Grand Total Recommended</b>

## Professional Services

Amount	Description
\$19,214	Additional contract services required by the Administration Program to carry out the mission of the department.
<b>\$19,214</b>	<b>TOTAL PROFESSIONAL SERVICES</b>

## Other Charges

Amount	Description
	<b>Other Charges:</b>





## Other Charges (Continued)

Amount	Description
\$10,000	Department portion of annual Justice of Peace Conference to inform constables and justices of the peace of new and modified Louisiana laws
\$19,000	Purchase of commodities for the promotion of the programs and expense for workshops and seminars related to domestic violence grant
\$24,949	Purchase of commodities for the promotion of the programs and expense for workshops and seminars related to the school safety grant
\$12,000	Purchase of commodities for the promotion of the programs and expense for workshops and seminars related to the Louisiana Highway Safety Commission Udrink Udrive grant
\$32,281	Miscellaneous charges for the operations of the Administration program
\$2,207,608	Collection process for the Department of Revenue
<b>\$2,305,838</b>	<b>SUB-TOTAL OTHER CHARGES</b>
	<b>Interagency Transfers:</b>
\$22,189	Fees for Uniform Payroll System
\$146,418	Office of Risk Management Fees
\$34,808	Legislative Auditor Fees
\$134,300	Office of Telecommunication Management Fees
\$411,731	Capitol Park Security
\$1,963,186	Rent in State-Owned Building - Livingston Building
<b>\$2,712,632</b>	<b>SUB-TOTAL INTERAGENCY TRANSFERS</b>
<b>\$5,018,470</b>	<b>TOTAL OTHER CHARGES</b>

## Acquisitions and Major Repairs

Amount	Description
\$13,000	Replacement library reference materials
\$20,000	Replacement of one high mileage vehicle
<b>\$33,000</b>	<b>TOTAL ACQUISITIONS AND MAJOR REPAIRS</b>

## Performance Information

### 1. (KEY) Through the Administrative Services Division, to ensure that all programs in the Department of Justice are provided support services to accomplish 100% of their program objectives.

Strategic Link: This objective is related to the program's Strategic Goal I: Provide superior professional services on behalf of the State of Louisiana and the employees of the Department of Justice.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable



Explanatory Note: During FY 2002-2003 the Administrative Services Section of the Department of Justice supported 473 employees--or 24 department employees per support services staff member. The total value of the assets managed during FY 2002-2003 was \$4,165,272.

### Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
K	Number of objectives not accomplished due to support services (LAPAS CODE - 6202)	0	0	0	0	0	0
K	Number of repeat audit findings reported by legislative auditors (LAPAS CODE - 6203)	0	0	0	0	0	0

### Administrative General Performance Information

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Number of organization employees supported (LAPAS CODE - 6204)	487	499	495	500	473
Number of employees in supported organization per support services person (LAPAS CODE - 6206)	26	25	26	25	24
Total value of assets managed (LAPAS CODE - 6205)	\$ 5,422,343	\$ 6,364,415	\$ 4,330,032	\$ 4,156,783	\$ 4,165,272

This figure is substantially less than previous years due to the fact that DOA Property Assistance made a change in reporting requirements. No asset under \$1,000 is required to be reported resulting in a reduced value of assets managed as tracked through DOA Property Assistance.

## 2. (SUPPORTING)Through the Management Information System, to respond to Help Desk calls within an average of 2 hours.

Strategic Link: This objective is related to the program's Strategic Goal III: Develop a state-of-the-art management information system and Strategy III.1.1: Track 100% of incoming help desk calls for performance.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable



Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

### Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
S	Number of Help Desk calls received (LAPAS CODE - 10384)	1,700	2,216	To Be Established	2,000	2,000	2,000
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							
S	Average time to respond to Help Desk calls (in hours) (LAPAS CODE - 452)	2	2	To Be Established	2	2	2
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							

### 3. (SUPPORTING)Through the Management Information Systems, to provide software training sessions for 100% of new employees.

Strategic Link: This objective is related to the program's Strategic Goal II: Develop a state-of-the-art management information system and Objective III.2: Offer training to 100% of the Department of Justice employees in computer applications related to their job functions through June 30, 2006.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable



## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values				
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005
S	Percentage of new DOJ employees trained in computer software (LAPAS CODE - new)	Not Applicable	Not Available	Not Applicable	100%	100%
<p>This is performance indicator did not appear under Act 14 of 2003 and does not have performance standards for FY 2003-2004. The value shown for existing performance standard is an estimate of yearend FY 2003-2004 performance not a performance standard.</p> <p>The indicator name is changed to reflect an emphasis on training new employees. All current employees have been trained in existing software. The department has not added any new programs in several years.</p>						
S	Number of system users trained in all software (LAPAS CODE - 450)	250	139	To Be Established	300	300
<p>The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.</p>						

#### 4. (SUPPORTING)Through the Drug Policy Section, to ensure 100% satisfactory rating on services provided.

Strategic Link: This objective is related to the program's Strategic Goal VI: Make public service information accessible to the citizens of Louisiana.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable



## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
S	Number of requests for services (LAPAS CODE - 6208)	250	329	To Be Established	150	150	150
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							
S	Percentage of surveys rating services as satisfactory (LAPAS CODE - 6209)	100%	100%	To Be Established	100%	100%	100%
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							

**5. (SUPPORTING)Through the Drug Policy Section, to respond to requests for School Safety Crisis Response training, technical assistance and information within an average of two (2) working days.**

Strategic Link: This objective is related to the program's Strategic Goal VI: Make public service information accessible to the citizens of Louisiana.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable



## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard	Actual Yearend Performance	Performance Standard as Initially Appropriated	Existing Performance Standard	Performance At Continuation Budget Level	Performance At Executive Budget Level
		FY 2002-2003	FY 2002-2003	FY 2003-2004	FY 2003-2004	FY 2004-2005	FY 2004-2005
S	Average number of days to respond to requests for School Safety training, technical assistance and information. (LAPAS CODE - 11582)	2	2	To Be Established	2	2	2

The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.

### 6. (KEY) Through the Administrative Services Division, to collect an average of \$3,500,000 in outstanding student loans each fiscal year.

Strategic Link: This objective is related to the program's Strategic Goal I: Provide superior and professional services on behalf of the State of Louisiana and the employees of the Department of Justice.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

Explanatory Note: Funds recovered by the Collections Section are directly affected by the age, number, and type of cases in the section's portfolio. In some years, the section has been able to collect more money than others, depending on whether or not the section has received many new accounts and whether the section has had great numbers of accounts that have been recalled during the course of the fiscal year. Realistically, the section will eventually deviate from its continued upward trend of recoveries because the section will not always have as many accounts coming in for collection as are going out.

## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
K	Number of outstanding student loan cases closed (LAPAS CODE - 474)	5,000	16,135	5,000	7,500	7,500	7,500
<p>The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.</p> <p>The Actual Yearend Performance FY 02-03 value is significantly higher because more of the outstanding accounts are being paid due to borrowers obtaining consolidation loans and the Collection Section send outstanding accounts back to the Office of Student Financial Assistance if no payments are obtained in 60 days.</p>							
K	Total collections from outstanding student loan cases (LAPAS CODE - 476)	\$ 3,000,000	\$ 4,909,487	\$ 2,000,000	\$ 3,500,000	\$ 3,500,000	\$ 3,500,000
<p>The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.</p>							

## Administrative General Performance Information

Performance Indicator Name	Performance Indicator Values					
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003	
Number of pending cases (LAPAS CODE - 12265)	13,851	12,565	16,655	15,166	10,560	
Number of cases closed (LAPAS CODE - 12268)	4,139	6,229	16,314	18,457	16,135	
Total collections (LAPAS CODE - 12270)	\$ 4,550,123	\$ 4,851,398	\$ 4,738,819	\$ 4,636,803	\$ 4,909,487	



## 141\_2000 — Civil Law

Program Authorization: General: La. Constitution, Article IV, Section 8; R.S. 36:701(D); R.S.36:704(D) (Civil Division); R.S. 36:704(C) (Public Protection Division).

### Program Description

The mission of the Civil Law Program is to serve the citizens of the State of Louisiana through courteous and competent employees; and to provide superior legal representation and prompt and accurate legal advice and information on behalf of the State of Louisiana and to all clients of the program in the general areas of civil law and public protection.

The goal of the Civil Law Program is to provide superior legal services and public protection services on behalf of the State of Louisiana through the Civil Division and the Public Protection Division.

The Civil Program includes two activities (expressed as organizational divisions): the Civil Division and the Public Protection Division. The Civil Division defends the constitution and laws of the State of Louisiana and provides information and legal services in the areas of government law, collection law, land and natural resources law, and public finance and contract law.

- The Civil Division is composed of the Governmental Litigation Section, the Collections Section, the Lands and Natural Resources Section, Education/Interagency Transfer Section, and the Public Finance and Contracts Section.
  - The Governmental Litigation Section defends the state in constitutional challenges to state laws and defends state agencies and elected officials in civil claims where torts are not involved. The work of this section includes state and federal litigation, drafting legal opinions to local and state officials and entities, legal representation of boards and commissions, legal advice and management of the tobacco settlement, and of the legal advice and education to the state's justices of the peace and constables. Legal opinions written by this section include open meetings, public records, dual office holding, compliance with state law, to local municipal law and elections. This section is also responsible for submission of state laws to the U.S. Department of Justice for administrative approval under Section 5 of the Voting Rights Act.
  - The Collections Section provides legal representation to 16 of Louisiana's public colleges and universities, the State Department of Education, the Board of Regents, and the Office of Student Financial Assistance in the collection and litigation of defaulted educational loan/benefits. The work of this section includes over 11,000 accounts valued in excess of \$30 million, which are currently placed for collection. This section relies upon self-generated revenues for its operation.
  - The Lands and Natural Resources Section advises and renders legal support to state agencies, levee boards, commissions, and other political subdivisions pertaining to lands, water bottoms, boundaries, accretion and erosion, oil and gas, public rights of use and access, sale and acquisition of lands expenditure of public funds, and related activities. This section defends the title of the state in its political subdivisions to land and water bottoms and safeguards the interests of the state in lands and mineral



transactions involving publicly owned lands and water bottoms. The work involves the defense of claims and actions to protect public property valuable to the state for oil, gas, mineral production, and recreational purposes, including boundary claims related to both river action and accretion and related oil and gas production. Another function of the section is the recovery of claims against oil and gas leases for improper payment or underpayment of royalties on state leases.

- The Education/Interagency Transfer Section provides legal representation to the Board of Elementary and Secondary Education, the Board of Regents, the Department of Education, the Louisiana Community and Technical College System and various other public agencies on education related litigation. The Education Section responds to requests for attorney general opinions from the various state and local education boards on issues related to elementary, secondary and higher education. This section is responsible for implementing drug testing legislation. This section also supervises up to 10 attorneys in various state departments including Treasury, Labor, Secretary of State, La. Housing Finance Authority, Public Safety and Corrections and the Inspector General's Office. The attorneys in the IAT Section represent their agencies in a variety of capacities as Assistant Attorneys General, including confidential assistant and general counsel, and perform general litigation defense and draft legal opinions.
- The Public Finance and Contracts Section enables attorneys in the Office of the Attorney General to specialize and provide competent, professional representation on public finance matters to statewide elected officials (such as the Treasurer) as well as other state boards and commissions (including the State Bond Commission, the Louisiana Housing Finance Authority, the Architects Selection Board, the Engineers Selection Board, and the Office Facilities Corporation.) The work of this section includes preparation or review of all legal documents required for issuance of state general obligation bonds, review of revenue bond issues of the state (including issues of the Transportation Trust Fund and the Office Facilities Corporation), provision of legal counsel to the State Bond Commission and legal assistance to the Division of Administration in connection with acquisition of real estate and annual capital outlay bills. Opinions rendered by this section center around areas of taxation, public finance, public bid law, and contracts. This section also prepared legal services contracts and representation agreements on behalf of the Department of Justice, approves professional legal services contracts entered into by state agencies, boards and commissions, and approves the employment of special counsel by political subdivisions.
- The Public Protection Division asserts and protects the State of Louisiana's interests by providing legal services in the general areas of consumer protection/environmental law, insurance receivership law, and fair housing law. The Public Protection Division is composed of the Consumer Protection/Environmental Section, Auto Fraud Section, Equal Opportunity Section, and the Insurance and Securities Section.
- The Consumer Protection/Environment Section has the responsibilities of enforcing consumer protection laws in Louisiana and serving as a public trustee in connection with conserving, protecting, and replenishing Louisiana's natural resources. In the consumer protection area, this section was granted authority under Louisiana's Unfair Trade Practice Act (R.S. 51:1401 et seq.) to conduct investigations as necessary when the Office of the Attorney General has reason to believe that an unfair or deceptive trade practice has taken place, is taking place, or is about to take place. The section works with local, state, and federal authorities in joint investigations. The section conducts consumer awareness seminars throughout the state on subjects such as, shoplifting, fraud, theft, and other deceptive trade practices. An important focus of the section is mediation and investigation of consumer complaints and inquiries. This section is also charged with the enforcement of antitrust and related laws relative to the regulation of trade and commerce. This includes, but is not limited to, the protection of the welfare of small business interests and the interests of any persons injured by antitrust violations and conspiracies in restraint of trade and other patterns of organized business extortion and theft. In the environmental area, this section assists the attorney general in the discharge of his duties under the Environmental



Quality Act and in connection with the constitutional responsibility and power of the attorney general as chief legal officer of the state to institute, prosecute, or intervene in any civil action in order to assert or protect a state natural resource interest. The section prepares opinions, analyzes legislation, and advises officials and employees of the Departments of Natural Resources, Environmental Quality, Public Safety and Corrections, Wildlife and Fisheries, Culture, Recreation and Tourism, and Agriculture and Forestry; and the U.S. Corps of Engineers. Staff personnel attend hearings throughout the state and visit problem sites and meet with representatives of both government and industry to seek resolution of environmental problems. Staff personnel also respond to inquiries and complaints from citizens and coordinate these with governmental action and appropriate agencies. This section is involved in administrative litigation on land disposal of hazardous waste and numerous administrative enforcement actions involving assessed penalties against environmental violators in Louisiana.

- The Auto Fraud Section mediates complaints consumers have with car dealers in the State of Louisiana, assures the delivery of title and registration of motor vehicles, advises consumers of their rights concerning automobile issues, and investigates and mediates the packing of auto sale contracts. The section coordinates efforts with state and federal agencies to combat odometer fraud, investigates and assists the state in remittance of sales tax money due the state, and also establishes programs to educate consumers of the different frauds involved in the sale of automobiles.
- The Equal Opportunity Section is responsible for the administration and enforcement of the Louisiana Equal Housing Opportunity Act. This section is active in investigations, conciliations, and judicial enforcement of fair housing claims. Staff personnel cooperate with the federal government in the enforcement of statutes prohibiting discrimination in public accommodation based on an individual's race, color, national origin, religion, sex, handicap, or familial status. The section also provides information to Louisiana citizens on their rights regarding the renting and/or purchase of dwellings under the Louisiana Equal Housing Opportunity Act and the federal Fair Housing Act.
- The Insurance and Securities Section has direct involvement in and primary knowledge of every insurance liquidation in Louisiana. This section performs legal work, supervises contract counsel, and works with the Department of Insurance. Staff personnel conduct research in insolvency cases and maintain a proactive position in the area of insurance litigation. This section reviews legal bills of contract attorneys, incorporates terms of engagements and development with contract attorneys and the Department of Insurance case management plans for each liquidation. The section relies totally upon self-generated revenues for its operation.

## Civil Law Budget Summary

	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
<b>Means of Financing:</b>						
State General Fund (Direct)	\$ 4,364,109	\$ 5,109,443	\$ 5,026,366	\$ 5,236,614	\$ 5,000,484	\$ (25,882)
<b>State General Fund by:</b>						
Total Interagency Transfers	719,150	814,016	814,016	876,484	876,484	62,468
Fees and Self-generated Revenues	1,491,856	4,379,786	4,387,636	4,200,171	1,646,859	(2,740,777)
Statutory Dedications	329,694	341,260	358,270	350,932	350,000	(8,270)
Interim Emergency Board	0	0	0	0	0	0



## Civil Law Budget Summary

	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
Federal Funds	287,677	283,626	348,626	351,097	356,076	7,450
<b>Total Means of Financing</b>	<b>\$ 7,192,486</b>	<b>\$ 10,928,131</b>	<b>\$ 10,934,914</b>	<b>\$ 11,015,298</b>	<b>\$ 8,229,903</b>	<b>\$ (2,705,011)</b>
<b>Expenditures &amp; Request:</b>						
Personal Services	\$ 4,818,836	\$ 5,518,686	\$ 5,505,296	\$ 5,813,947	\$ 5,825,040	\$ 319,744
Total Operating Expenses	704,673	502,119	507,559	381,593	344,552	(163,007)
Total Professional Services	758,884	812,350	854,083	836,559	723,918	(130,165)
Total Other Charges	815,342	3,936,411	3,858,411	3,795,148	1,202,342	(2,656,069)
Total Acq & Major Repairs	94,751	158,565	209,565	188,051	134,051	(75,514)
Total Unallotted	0	0	0	0	0	0
<b>Total Expenditures &amp; Request</b>	<b>\$ 7,192,486</b>	<b>\$ 10,928,131</b>	<b>\$ 10,934,914</b>	<b>\$ 11,015,298</b>	<b>\$ 8,229,903</b>	<b>\$ (2,705,011)</b>
<b>Authorized Full-Time Equivalents:</b>						
Classified	0	0	0	0	0	0
Unclassified	102	102	102	102	87	(15)
<b>Total FTEs</b>	<b>102</b>	<b>102</b>	<b>102</b>	<b>102</b>	<b>87</b>	<b>(15)</b>

## Source of Funding

This program is funded with State General Fund, Interagency Transfers and Fees and Self-generated Revenues. Interagency transfers are provided from the Louisiana Commission on Law Enforcement to provide educational programming to youths, domestic violence training, and a comprehensive approach to insuring safe schools. Fees and Self-generated revenues are provided from Louisiana Commission on Law Enforcement generated from private donations for the safe schools resource center project. (Per R.S. 39.36B. (8), see table below for a listing of expenditures out of each Statutory Dedicated Fund.)

## Civil Law Statutory Dedications

Fund	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
Louisiana Fund	\$ 329,694	\$ 341,260	\$ 358,270	\$ 350,932	\$ 350,000	\$ (8,270)



## Major Changes from Existing Operating Budget

General Fund	Total Amount	Table of Organization	Description
\$ (83,077)	\$ 6,783	0	<b>Mid-Year Adjustments (BA-7s):</b>
\$ 5,026,366	\$ 10,934,914	102	<b>Existing Oper Budget as of 12/02/03</b>
<b>Statewide Major Financial Changes:</b>			
\$ 126,494	\$ 205,352	0	Unclassified State Employees Merit Increases
\$ 40,000	\$ 60,327	0	State Employee Retirement Rate Adjustment
\$ 61,991	\$ 71,729	0	Group Insurance for Active Employees
\$ 0	\$ (38,369)	0	Salary Base Adjustment
\$ 0	\$ (99,345)	0	Attrition Adjustment
\$ 0	\$ (57,041)	0	Salary Funding from Other Line Items
\$ 107,286	\$ 188,051	0	Acquisitions & Major Repairs
\$ (58,000)	\$ (209,565)	0	Non-Recurring Acquisitions & Major Repairs
\$ (3,700)	\$ (28,560)	0	Non-recurring Carry Forwards
<b>Non-Statewide Major Financial Changes:</b>			
\$ 0	\$ 8,176	0	Realignment of expenditures funded with Interagency Transfers (IAT) from various state agencies. This adjustment allows the department to adjust the expenditures amounts based on the IAT agreements from each state agency.
\$ 0	\$ (2,400,000)	(15)	Transfer of the Collections Division in the Civil Law Program to the Administrative Program. This will allow the department to consolidate all administrative functions into one program. The legal function of the Collections Division will remain in the Civil Law Program.
\$ (34,285)	\$ (134,285)	0	Annualization of reduction of rent costs for space in private-owned buildings due to move to the Livingston Building.
\$ (300,000)	\$ (300,000)	0	Non-Recur funding for the distribution to regional legal service corporations. The regional corporations provide free civil law services to eligible applicants in most areas of law except criminal matters and fee generating suits, like personal injury cases.
\$ 189,937	\$ 212,281	0	Funding to increase the attorney salary scale to a level of pay that is comparable to the State Civil Service pay scale. Based on the current State Civil Service pay scale, the Department of Justice's maximum attorney salary level is approximately 6-15% less than State Civil Service maximum salary level for comparable positions. This increase in funding would equate to an approximate 7.5% increase to the base salary for each attorney.
\$ (115,605)	\$ (123,435)	0	Group Insurance Funding from Other Line Items
\$ (40,000)	\$ (60,327)	0	Retirement Funding from Other Line Items
\$ 5,000,484	\$ 8,229,903	87	<b>Recommended FY 2004-2005</b>
\$ 350,034	\$ 350,034	0	<b>Less Governor's Supplementary Recommendations</b>
\$ 4,650,450	\$ 7,879,869	87	<b>Base Executive Budget FY 2004-2005</b>
<b>Supplementary - Renewal of the Suspension of Exemptions for various business sales transactions including non-residential utilities.</b>			
\$ 350,034	\$ 350,034	0	This represents 7% of the State General Fund and 4.3% of the Total Recommended funding for the program.



## Major Changes from Existing Operating Budget (Continued)

General Fund	Total Amount	Table of Organization	Description
\$ 350,034	\$ 350,034	0	<b>Total Supplementary - Renewal of the Suspension of Exemptions for various business sales transactions including non-residential utilities.</b>
\$ 5,000,484	\$ 8,229,903	87	<b>Grand Total Recommended</b>

## Professional Services

Amount	Description
\$36,000	Production of public service announcements (Louisiana Network, Inc, Baton Rouge, LA)
\$30,000	PC-based collection system development (Joe Sherrill, Luling, LA.)
\$10,000	Legal services in connection with employees and officers of the Office of the Governor (P. Raymond Lamonica, Baton Rouge)
\$10,000	Video news releases (Hometown Production, Inc, Monroe, LA)
\$637,918	Additional contract services required by the Civil Program to carry out the mission of the department
<b>\$723,918</b>	<b>TOTAL PROFESSIONAL SERVICES</b>

## Other Charges

Amount	Description
	<b>Other Charges:</b>
\$253,925	Reimbursements for review of sales of Non-profit Hospitals
\$140,376	To be used for taking depositions, utilization for court reports, travel of witnesses, court costs, etc.
\$653,459	Advocacy Center (Community Living Ombudsman Program)
<b>\$1,047,760</b>	<b>SUB-TOTAL OTHER CHARGES</b>
	<b>Interagency Transfers:</b>
\$118,132	Office of Telecommunication Management fees
\$36,450	Office of Risk Management Fees
<b>\$154,582</b>	<b>SUB-TOTAL INTERAGENCY TRANSFERS</b>
<b>\$1,202,342</b>	<b>TOTAL OTHER CHARGES</b>

## Acquisitions and Major Repairs

Amount	Description
\$72,000	Library Reference Materials
\$42,051	Replacement of various computer equipment and data processing equipment
\$20,000	Replacement of one high mileage vehicle
<b>\$134,051</b>	<b>TOTAL ACQUISITIONS AND MAJOR REPAIRS</b>



## Performance Information

### 1. (KEY) To perform a 35-day average total receipt-to-release time for opinions and maintain a 25-day average response time for research and writing opinions.

Strategic Link: This objective is related to the program's Strategic Goal I: Provide superior and professional services on behalf of the State of Louisiana through the Civil Program.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

Explanatory Note: As of 1998, the Office of the Attorney General instituted a new computer tracking program for opinions. This program was written to track the amount of time from the receipt of an opinion request until the release of an opinion by the office. Prior to the implementation of this computer tracking system, opinion processing time was calculated by hand and only the amount of time an attorney used to research and write an opinion was calculated. Under that manual tracking system, the average 30-day response time (which was calculated as the writing period) was targeted to be decreased to 27 days in the department's FY 1998-1999 operational plan and this was accomplished. However, the supervisory review of all opinions is a very important aspect of opinion writing. Since supervisory review does affect the total amount of time it takes to release an opinion, it was included in the department's outcome measure beginning with Operational Plan FY 1999-2000.

Currently, computer research of Louisiana Attorney General opinions is available through "WESTLAW" from January 1977 to present and through "LEXIS" from September 1974 to present. The Louisiana Senate also has Attorney General opinions on its computer system from 1990 to present.

## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
K	Average response time for attorney to research and write opinions (in days) (LAPAS CODE - 464)	29	18	35	32	25	25
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							
K	Average total time from receipt to release of an opinion (in days) (LAPAS CODE - 6213)	45	26	54	45	35	35
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							



## Civil Law General Performance Information

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Number of opinions requested (LAPAS CODE - 12252)	433	509	473	726	537
These numbers include opinions for all Department of Justice divisions since the Civil Law Program must review all of these opinions and this review is factored into average total time from receipt to release of an opinion.					
Number of opinions withdrawn (LAPAS CODE - 12254)	12	44	62	59	63
Number of opinions released (LAPAS CODE - 12256)	306	421	319	286	337
Average response time for attorney to research and write opinion (in days) (LAPAS CODE - 464)	21	28	25	18	18
Average total time from receipt to release of an opinion (in days) (LAPAS CODE - 6213)	36	45	38	31	26
As of 1998, the Office of the Attorney General instituted a new computer tracking program for opinions. This program was written to track the amount of time from the receipt of an opinion request until the release of an opinion by the office. Prior to the implementation of this computer tracking system, opinion processing time was calculated by hand and only the amount of time an attorney used to research and write an opinion was calculated.					

### 2. (KEY) Through the Civil Division, to retain in-house 98% of the litigation cases received during the fiscal year.

Strategic Link: This objective is related to the program's Strategic Goal I: Provide superior and professional services on behalf of the State of Louisiana through the Civil Program.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

Explanatory Note: The attorney general is the agent for service of process for the State of Louisiana. However, this objective relates only to the cases handled by the Civil Division.



## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values				
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005
K	Percentage of cases handled in-house each fiscal year (LAPAS CODE - 470)	98%	99%	95%	98%	98%
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.						
K	Number of cases received (LAPAS CODE - 471)	600	581	600	600	600
K	Number of cases contracted to outside firms each fiscal year (LAPAS CODE - 473)	24	4	29	29	24

### 3. (SUPPORTING)Through the Public Finance and Contracts Section of the Civil Division, to process contracts within an average of 15 days; resolutions within an average of 6 days, public bond approvals within an average of 6 days; and garnishments within an average of 10 days.

Strategic Link: This objective is related to the program's Strategic Goal I: Provide superior and professional services on behalf of the State of Louisiana through the Civil Program.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

Explanatory Note: Contracts include those prepared on behalf of the Department of Justice, those entered into by state agencies, boards, and commissions, and those employing special counsel by political subdivisions. Public bond approvals are known as TEFRA. TEFRA is an acronym for Tax Equity and Fiscal Responsibility Act. Garnishments include payments of funds from the state treasury that would otherwise go to state employees or third persons but are sometimes garnished by creditors of the state employees or third persons.



## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values				
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005
S	Average processing time for contracts (in days) (LAPAS CODE - 477)	12	15	To Be Established	12	15
This indicator also includes contract amendments. The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.						
S	Average processing time for resolutions (in days) (LAPAS CODE - 478)	6	6	To Be Established	6	6
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.						
S	Average processing time for public bond approvals (TEFRA) (in days) (LAPAS CODE - 6218)	6	6	To Be Established	6	6
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.						
S	Average processing time for garnishment (in days) (LAPAS CODE - 6219)	13	6	To Be Established	13	10
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.						

## Civil Law General Performance Information

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Number of contracts reviewed and processed (LAPAS CODE - 481)	161	202	145	154	214
Number of amendments reviewed and processed (LAPAS CODE - 12259)	86	58	35	76	76
Number of resolutions reviewed and processed (LAPAS CODE - 12260)	348	368	277	290	377
Number of public bond approvals (TEFRAs) reviewed and processed (LAPAS CODE - 12261)	37	31	17	21	31
Number of garnishments processed (LAPAS CODE - 12262)	98	96	95	67	86



**4. (SUPPORTING)Through the Civil Division and Public Protection Division, to continue to process and respond to 100% of the duty calls received during the fiscal year.**

Strategic Link: This objective is related to the program's Strategic Goal I: Provide superior and professional services on behalf of the State of Louisiana through the Civil Program.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

Explanatory Note: Every working day of the fiscal year an attorney from the Civil Program is on duty to receive, process, and respond to the questions--legal or nonlegal--from the general public. Tasks include telephone responses, research, mail-outs, and assistance with walk-ins. Twelve training meetings related to duty calls are held each year.

#### Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard	Actual Yearend Performance	Performance Standard as Initially Appropriated	Existing Performance Standard	Performance At Continuation Budget Level	Performance At Executive Budget Level
		FY 2002-2003	FY 2002-2003	FY 2003-2004	FY 2003-2004	FY 2004-2005	FY 2004-2005
S	Percentage of duty calls processed and responded to each fiscal year (LAPAS CODE - 6214)	100%	100%	To Be Established	100%	100%	100%

The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.

#### Civil Law General Performance Information

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual	Prior Year Actual	Prior Year Actual	Prior Year Actual	Prior Year Actual
	FY 1998-1999	FY 1999-2000	FY 2000-2001	FY 2001-2002	FY 2002-2003
Number of duty calls received (LAPAS CODE - 469)	7,086	4,422	6,255	6,140	8,468
The number includes all requests for information from Justices of the Peace processed as duty calls.					
Number of research and mailouts performed (LAPAS CODE - 10447)	621	225	590	2,478	1,696



**5. (SUPPORTING)Through the Tobacco Enforcement Unit, to ensure compliance with Tobacco Master Settlement Agreement provisions by conducting 6 field checks on tobacco-sponsored special events, 200 random site checks on retail tobacco outlets, and audit 5% of the wholesaler reports received each month.**

Strategic Link: This objective is related to the program's Strategic Goal I: Provide superior and professional services on behalf of the State of Louisiana through the Civil Program.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

Explanatory Note: The compliance checks conducted by the Office of the Attorney General (OAG) are different from the compliance checks performed by the Office of Alcohol and Tobacco Control (ATC) in the Department of Revenue. The OAG checks for violations of the Master Settlement Agreement. These violations can include advertising violations in newspapers or magazines, brand name merchandising violations, brand name sponsorship violations, free sample violations, or other violations. OAG checks identify tobacco products made by tobacco manufacturers that are not part of the Master Settlement Agreement so that the OAG can ensure that those manufacturers establish escrow accounts in accordance with state law (LRS 13:5061), which expressly requires the attorney general to enforce the provisions of the law. The ATC enforces Title 26 of the Louisiana Revised Statutes, the Beer and Liquor Law, and the Youth Access to Tobacco Law by conducting random inspections at locations where alcoholic beverages and tobacco are sold.

### Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
S	Number of field checks conducted at tobacco-sponsored special events (LAPAS CODE - 10449)	6	6	To Be Established	6	6	6

The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.

**Performance Indicators (Continued)**

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
S	Number of random site checks conducted at retail tobacco outlets (LAPAS CODE - 10450)	200	206	To Be Established	200	200	200
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							
S	Percentage of tobacco wholesaler reports audited for accuracy each month (LAPAS CODE - new)	Not Applicable	5%	Not Applicable	5%	5%	5%
<p>This is performance indicator did not appear under Act 13 of 2002 or Act 14 of 2003 and does not have performance standards for FY 2002-2003 or FY 2003-2004. The value shown for existing performance standard is an estimate of yearend FY 2003-2004 performance not a performance standard.</p> <p>The Tobacco Enforcement Unit reviews reports submitted by tobacco wholesalers for accuracy. The wholesaler reports are the basis for the amount of money that is deposited into escrow as required by Louisiana law. If the report is not accurate, unit staff works with the company to ensure the correct amount of money is deposited into escrow. If that effort is not successful, the Department of Justice files suit. The unit receives approximately 60 reports per month, 180 per quarter. Every report is reviewed that comes into the Tobacco Unit, however, the staff primarily relies on the wholesaler to report what was sold that month. To ensure accuracy of the reports, a random sample of 5% of the reports received to verify the figures submitted by wholesalers. This verification process may include on-site visits by staff and requests for paperwork (invoices, order forms, etc) from wholesalers to verify the accuracy of the information.</p>							

**6. (KEY) Through the Insurance and Securities Section of the Public Protection Division, to handle in-house 65% of the cases, claims, and proceedings involved in receivership during the fiscal year.**

Strategic Link: This objective is related to the program's Strategic Objective V.2: Increase in-house representation in receivership and insurance regulatory matters by June 30, 2006. It is also related to the program's Strategic Goal V: Provide competent and quality legal representation and counsel in insurance receivership matters and other insurance regulatory matters.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

Explanatory Note: Staff training is an important strategy for achieving the strategic goal and strategic and operational objectives cited above.



## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
K	Percentage of cases, claims, and proceedings involving receivership that are handled in-house (LAPAS CODE - 6234)	65%	75%	65%	65%	65%	65%
S	Percentage of section staff receiving in-house training (LAPAS CODE - 6235)	100%	100%	100%	100%	100%	100%
S	Number of hours of in-house training provided (LAPAS CODE - 6236)	5	5	5	5	5	5
S	Percentage of section staff indicating satisfaction with in-house training provided (LAPAS CODE - 6237)	100%	100%	100%	100%	100%	100%

## Civil Law General Performance Information

Performance Indicator Name	Performance Indicator Values					
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003	
Total number of cases, claims, and proceedings involving receiverships (LAPAS CODE - 200)	244	167	165	190	193	
Total number of cases, claims and proceedings involving receiverships that are handled in-house (LAPAS CODE - 6231)	193	128	127	151	152	
Total number of cases, claims and proceedings that are handled by the Attorney General and contract counsel (LAPAS CODE - 6233)	5	3	2	5	6	
Total number of cases, claims and proceedings involving receiverships that are handled by contract counsel (LAPAS CODE - 6232)	46	36	36	34	33	
Number of billings of outside counsel for liquidations reviewed by section staff (LAPAS CODE - 12285)	181	127	112	97	120	
Total dollar amount of contract attorney fees and expenses certified by section staff (LAPAS CODE - 12287)	\$ 496,805	\$ 497,165	\$ 749,166	\$ 631,465	\$ 828,147	
Number of companies for which section provided legal service (LAPAS CODE - 12288)	37	24	22	23	22	
Number of hours billed by section staff (LAPAS CODE - 499)	3,450	3,176	3,358	3,051	2,686	



**Civil Law General Performance Information (Continued)**

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Dollar amount billed by section staff (LAPAS CODE - 12291)	\$ 346,549	\$ 315,249	\$ 334,701	\$ 326,342	\$ 303,966
Funds collected for legal services rendered by section staff (LAPAS CODE - 500)	\$ 209,707	\$ 307,213	\$ 323,400	\$ 300,401	\$ 298,773
Number of insurance estates closed and finalized by section staff (LAPAS CODE - 498)	13	4	3	1	0
Number of companies placed in receivership by section attorneys (LAPAS CODE - 12297)	1	0	2	1	1

**7. (KEY) Through the Equal Opportunity Section of the Public Protection Division, to close 50% of its enforcement cases within 120 days.**

Strategic Link: This operational objective is related to the program's Strategic Objective VI.1: To maintain and/or increase the staff's closure rate of fair housing complaints by developing greater expertise by June 30, 2006. To achieve this strategic objective, the following Strategic Strategy VI.1.1 is identified: Provide in-house seminars and training sessions regarding fair housing laws which the staff is responsible for .

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

Explanatory Note: The attorney general is given sole authority to administer and enforce fair housing complaints initiated with the Office of the Attorney General (OAG) or with the U.S. Department of Housing and Urban Development (HUD). The OAG is subject to HUD review and receives HUD funding based on the number of cases closed.

## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
K	Percentage of cases closed within 120 days (LAPAS CODE - 10448)	50%	55%	50%	50%	50%	50%
The Louisiana Equal Opportunity Act contains a provision which requires initial referral of complaints to a mediation panel. This results in a 10-day delay before investigation of the complaint can commence.							
S	Percentage of section staff receiving in-house training (LAPAS CODE - 6243)	100%	100%	100%	100%	100%	100%
S	Number of hours of in-house training provided (LAPAS CODE - 6244)	6	6	6	6	6	6

## Civil Law General Performance Information

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Number of fair housing complaints received (LAPAS CODE - 12300)	82	61	132	118	86
The decrease in complaints/cases received was due to a temporary freeze on incoming complaints referred by HUD due to a complete turnover of compliance officers and reduction in OAG staff.					
Number of fair housing cases closed (LAPAS CODE - 12302)	69	67	104	96	67

### 8. (KEY) Through the Consumer Protection Section of the Public Protection Division, to respond to consumer complaints within an average of 15 days of receipt.

Strategic Link: This operational objective is related to the program's Strategic Goal IV: Ensure a fair and equitable environment in which consumers and business coexist. This operational objective is also related to Strategic Objective IV.2: Improve the resolution of consumer complaints handled through the mediation process through June 30, 2006.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable



Explanatory Note: Staff training is an important strategy for achieving the strategic goal and strategic and operational objectives cited above.

### Performance Indicators

Level	Performance Indicator Name	Performance Indicator Values				
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005
K	Average number of days to respond to consumer complaints (LAPAS CODE - 483)	15	15	15	15	15
S	Percentage of section staff receiving in-house training (LAPAS CODE - 6227)	100%	100%	100%	100%	100%
S	Number of hours of in-house training provided (LAPAS CODE - 6228)	5	5	5	5	5
S	Percentage of section staff indicating satisfaction with in-house training provided (LAPAS CODE - 6229)	100%	100%	100%	100%	100%

### Civil Law General Performance Information

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Number of consumer complaints logged (LAPAS CODE - 486)	2,103	1,355	1,519	1,775	1,871
The auto fraud activity, which is now a separate OAG section, was part of the Consumer Protection Section during these reporting years. However, the figures shown for consumer complaints logged do not include automobile fraud complaints, which have been separated from the total number of consumer complaints logged and are reported in the General Performance Information table.					
Number of consumer outreach programs (LAPAS CODE - 6223)	47	68	65	78	32
Figures for consumer outreach programs and brochures distributed include odometer and auto fraud educational materials because that activity was part of the Consumer Section. Future figures for consumer protection outreach efforts will not include automobile fraud numbers.					
Number of consumer brochures distributed (LAPAS CODE - 6224)	9,970	7,936	7,076	21,877	13,657
Figures for consumer outreach programs and brochures distributed include odometer and auto fraud educational materials because that activity was part of the Consumer Section. Future figures for consumer protection outreach efforts will not include automobile fraud numbers.					
Number of enforcement actions filed (LAPAS CODE - 6221)	74	164	117	67	157
More unregistered Multi-level Marketing/Pyramid Schemes as well as several other fraudulent appearing investment schemes were uncovered that expected.					





**9. (KEY) Through the Auto Fraud Section of the Public Protection Division, to initiate investigation of odometer and auto complaints within an average of 5 days of receipt of complaint.**

Strategic Link: This operational objective is related to the program's Strategic Goal IV: Ensure a fair and equitable environment in which consumers and business coexist.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

### Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
K	Average number of days to initiate investigation (LAPAS CODE - 11891)	5	5	6	5	5	5
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							

### Civil Law General Performance Information

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Number of auto fraud phone complaints (LAPAS CODE - 12314)	3,591	4,031	4,288	3,123	3,474
Number of auto fraud complaints filed (LAPAS CODE - 12315)	656	502	517	534	504
Dollar amount recovered for consumers (LAPAS CODE - 12316)	\$ 416,289	\$ 257,740	\$ 405,400	\$ 393,546	\$ 332,846



## 141\_3000 — Criminal Law and Medicaid Fraud

Program Authorization: La. Constitution, Article IV, Section 8; R.S. 36:701(D); R.S. 36:704(E) and (F); R.S. 13:4448; R.S. 49:251-253 and 257(B); R.S. 15:1311(B); R.S. 42:66(G); R.S. 22:1241 and 1245; R.S. 40:1421 and 1422; C.Cr.Pr. Articles 61, 67, 261-280, 1880; 42 C.F.R. 1007.

### Program Description

The mission of the Criminal Law and Medicaid Fraud Program is to seek justice on behalf of the citizens of the State of Louisiana by the execution of superior, professional, and effective investigation and prosecution of all matters referred to the Department of Justice.

The goals of the Criminal Law and Medicaid Fraud Program are:

- I. Provide superior legal and professional services to the State of Louisiana.
- II. Develop a working environment that encourages competent individuals to seek career employment in the Criminal Law and Medicaid Fraud Program of the Department of Justice.
- III. Improve cooperative working relationships with federal, state, and local agencies and private sector organizations.

The Criminal Law and Medicaid Fraud Program includes two activities (organizationally expressed as divisions): Criminal Division and Investigation Division. The functions of both divisions are supervised by the deputy attorney general and program manager (who is responsible for monitoring the activities of all staff personnel, including the division directors, as well as for the administration and implementation of policy.

- The Criminal Division is divided into seven sections: Administrative Section, Prosecution and Technical Services Section, Special Services Section, White Collar Crimes Section, Violent Crime and Drug Offender Prosecution, Insurance Fraud Unit, and Medicaid Fraud Control Unit and the High Technology Crime Unit.
  - The Administrative Section supervises, controls, and coordinates all personnel and functions of the Criminal Division.
  - The Prosecution and Technical Services Section prosecutes violations of the criminal laws of the state by conducting or assisting in criminal prosecutions pursuant to the recusal or request of a district attorney. This section also serves as advisor to district attorneys, law enforcement, and the legislature; a training agency for law enforcement; and as liaison between various levels of law enforcement within the state.
  - The Special Services Section provides legal services to the state in the areas of extradition; appeals and habeas corpus proceedings; serving as amicus curiae in matters pending before the U.S. Supreme Court; and preparation of attorney general opinions concerning matters of law.
  - The White Collar Crimes Section specializes in the investigation and prosecution of economic crime, including theft by fraud, investment and financing frauds and ponzi schemes, insurance fraud, racketeering, money laundering, and other related financial-type crimes. The unit also investigates and prosecutes criminal violations of the state hazardous waste and other related environmental laws.



- The Violent Crime and Drug Offender Prosecution Section specializes in violent crimes against the person and narcotics cases of all varieties. Although the Prosecution and Technical Services Section handles some violent offenses and drug cases, the goal of the Violent Crime and Drug Unit is to develop a staff of prosecutors proficient in areas of criminal law that increasingly require specialized training and knowledge.
- The Insurance Fraud Unit prosecutes cases of insurance fraud referred to the Department of Justice by the Department of Insurance.
- The High Technology Crime Unit (HTCU) was developed to address computer related crimes that may involve fraud, identity theft, child pornography, attacks against legitimate businesses by hackers, support to local and state law enforcement in the capture and analysis of computer data, and to function as the state's computer crimes liaison with the National White Collar Crime Center and federal law enforcement agencies.
- The Medicaid Fraud Control Unit investigates and prosecutes individuals and entities defrauding the Medicaid Program or abusing residents in health care facilities. It also initiates recovery of identified overpayments.
- The Investigation Division is divided into four sections: Administrative Section, Trial Section, Special Investigations Section, and General Investigations and Government Support. The Director of the Investigation Division supervises each section.
  - The Administrative Section supervises, controls, and coordinates all personnel and functions of the Investigation Division. The division also has two investigators assigned to the Cooperative Disability Investigations Pilot Project. This project is designed to facilitate the investigation of persons involved in suspected social security disability fraud. The pilot project is totally funded by the federal government and operates under the supervision of the Social Security Administration, Office of Inspector General.
  - The Trial Section provides follow-up investigation services for the trial attorneys of the Criminal Division. The investigations are those things deemed necessary by the assistant attorneys general that were not done by the primary investigative agency. These services include locating witnesses who have moved since the offense occurred, running record checks on potential witnesses, providing transportation for victims and witnesses who have none, providing security for victims, witnesses, and assistant attorneys general, procurement of evidence, and witness management during trial.
  - The Special Investigations Section provides investigative services in those cases referred to the Louisiana Department of Justice involving white collar crimes or public corruption. Due to the fact that many district attorneys lack personnel with the necessary expertise or wish to avoid becoming embroiled in local politics, this type of crime is an ever-increasing part of the program's caseload. Appropriately, this section is staffed with accountants along with other investigators.
  - The General Investigations and Government Support Section provides investigative services in all matters not covered by the two specialized sections described above. Additionally, this section responds to the numerous requests for investigative assistance from any government agency—local, state, or federal.



## Criminal Law and Medicaid Fraud Budget Summary

	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
<b>Means of Financing:</b>						
State General Fund (Direct)	\$ 3,193,707	\$ 3,033,397	\$ 3,033,397	\$ 3,275,852	\$ 3,147,579	\$ 114,182
<b>State General Fund by:</b>						
Total Interagency Transfers	338,699	372,815	372,815	348,271	348,271	(24,544)
Fees and Self-generated Revenues	0	0	0	0	0	0
Statutory Dedications	319,631	332,955	332,955	351,430	357,683	24,728
Interim Emergency Board	0	0	0	0	0	0
Federal Funds	1,419,497	1,300,349	1,516,249	1,542,400	1,526,268	10,019
<b>Total Means of Financing</b>	<b>\$ 5,271,534</b>	<b>\$ 5,039,516</b>	<b>\$ 5,255,416</b>	<b>\$ 5,517,953</b>	<b>\$ 5,379,801</b>	<b>\$ 124,385</b>
<b>Expenditures &amp; Request:</b>						
Personal Services	\$ 3,934,759	\$ 4,207,331	\$ 4,207,331	\$ 4,465,418	\$ 4,539,078	\$ 331,747
Total Operating Expenses	778,207	588,735	555,125	333,658	282,465	(272,660)
Total Professional Services	968	8,388	12,665	12,864	6,095	(6,570)
Total Other Charges	356,960	167,226	412,459	230,357	186,602	(225,857)
Total Acq & Major Repairs	200,640	67,836	67,836	475,656	365,561	297,725
Total Unallotted	0	0	0	0	0	0
<b>Total Expenditures &amp; Request</b>	<b>\$ 5,271,534</b>	<b>\$ 5,039,516</b>	<b>\$ 5,255,416</b>	<b>\$ 5,517,953</b>	<b>\$ 5,379,801</b>	<b>\$ 124,385</b>
<b>Authorized Full-Time Equivalents:</b>						
Classified	0	0	0	0	0	0
Unclassified	76	77	77	77	77	0
<b>Total FTEs</b>	<b>76</b>	<b>77</b>	<b>77</b>	<b>77</b>	<b>77</b>	<b>0</b>

## Source of Funding

This program is funded with State General Fund, Interagency Transfers, Statutory Dedications and Federal Funds. Interagency Transfers are derived from various state agencies for investigative and legal services. Statutory Dedications are from the Insurance Fraud Fund. Federal Funds are derived from the Department of Health and Human Services Medicaid Fraud Unit and the U.S. Department of Justice for drug prosecution. (Per R.S. 39.36B. (8), see table below for a listing of expenditures out of each Statutory Dedicated Fund.)



## Criminal Law and Medicaid Fraud Statutory Dedications

Fund	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
Insurance Fraud Investigation Fund	319,631	332,955	332,955	351,430	357,683	24,728

## Major Changes from Existing Operating Budget

General Fund	Total Amount	Table of Organization	Description
\$ 0	\$ 215,900	0	<b>Mid-Year Adjustments (BA-7s):</b>
\$ 3,033,397	\$ 5,255,416	77	<b>Existing Oper Budget as of 12/02/03</b>
<b>Statewide Major Financial Changes:</b>			
101,558	154,483	0	Unclassified State Employees Merit Increases
46,196	46,196	0	State Employee Retirement Rate Adjustment
31,175	49,889	0	Group Insurance for Active Employees
(61,262)	(79,712)	0	Attrition Adjustment
(65,325)	(65,325)	0	Salary Funding from Other Line Items
278,869	475,654	0	Acquisitions & Major Repairs
(29,000)	(67,835)	0	Non-Recurring Acquisitions & Major Repairs
0	(215,900)	0	Non-recurring Carry Forwards
<b>Non-Statewide Major Financial Changes:</b>			
0	(30,275)	0	Realignment of expenditures funded with Interagency Transfers (IAT) from various state agencies. This adjustment allows the department to adjust the expenditures amounts based on the IAT agreements from each state agency.
(144,181)	(144,181)	0	Annualization of reduction of rent costs for space in private-owned buildings due to move to the Livingston Building.
0	33,219	0	Annualization of the Internet Crimes Against Children federal grant. The grant period extends into August of FY 04-05. The funding includes 5 pay periods of salary and related benefits for the 3 positions, travel, and acquisitions associated with the grant.
579	579	0	Funding for increase for the Investigative Division's usage of the Office of State Police's 800Mhz radio communication system.
76,442	107,176	0	Funding to increase the attorney salary scale to a level of pay that is comparable to the State Civil Service pay scale. Based on the current State Civil Service pay scale, the Department of Justice's maximum attorney salary level is approximately 6-15% less than State Civil Service maximum salary level for comparable positions. This increase in funding would equate to an approximate 7.5% increase to the base salary for each attorney.
(74,673)	(93,387)	0	Group Insurance Funding from Other Line Items



## Major Changes from Existing Operating Budget (Continued)

General Fund	Total Amount	Table of Organization	Description
(46,196)	(46,196)	0	Retirement Funding from Other Line Items
\$ 3,147,579	\$ 5,379,801	77	<b>Recommended FY 2004-2005</b>
\$ 220,330	\$ 220,330	4	<b>Less Governor's Supplementary Recommendations</b>
\$ 2,927,249	\$ 5,159,471	73	<b>Base Executive Budget FY 2004-2005</b>
			<b>Supplementary - Renewal of the Suspension of Exemptions for various business sales transactions including non-residential utilities.</b>
220,330	220,330	4	This represents 7% of the State General Fund and 4.3% of the Total Recommended funding for the program.
\$ 220,330	\$ 220,330	4	<b>Total Supplementary - Renewal of the Suspension of Exemptions for various business sales transactions including non-residential utilities.</b>
\$ 3,147,579	\$ 5,379,801	77	<b>Grand Total Recommended</b>

## Professional Services

Amount	Description
\$3,000	Expert testimony for matter under investigation
\$3,905	Additional contract services required by the Criminal Law Program to carry out the mission of the department
<b>\$6,905</b>	<b>TOTAL PROFESSIONAL SERVICES</b>

## Other Charges

Amount	Description
	<b>Other Charges:</b>
\$7,598	To be used for the taking of depositions.
\$38,219	Associated expenses of Internet Crimes Against Children grant for 2 months
\$17,325	Indirect costs associated with the Medicaid Fraud Control Unit
<b>\$63,142</b>	<b>SUB-TOTAL OTHER CHARGES</b>
	<b>Interagency Transfers:</b>
\$16,920	Radio user fees for Public Safety Services statewide emergency radio system
\$35,830	Office of Risk Management fees
\$70,710	Office of Telecommunication Management fees
<b>\$123,460</b>	<b>SUB-TOTAL INTERAGENCY TRANSFERS</b>
<b>\$186,602</b>	<b>TOTAL OTHER CHARGES</b>



## Acquisitions and Major Repairs

Amount	Description
\$277,500	Replacement of 15 high mileage vehicles
\$56,333	Replacement of library reference materials
\$31,729	Replacement of computer and office equipment
<b>\$365,562</b>	<b>TOTAL ACQUISITIONS AND MAJOR REPAIRS</b>

## Performance Information

### 1. (SUPPORTING)Through the Criminal Division, to provide 650 hours of professional training for division attorneys.

Strategic Link: This operational objective is related to the program's Strategic Objective I.2: To provide at least 8,400 total hours of professional training for Criminal Program employees annually through June 30, 2006.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
S	Percentage of Criminal Division attorneys receiving 15 continuing legal education (CLE) hours during most recent calendar year (LAPAS CODE - 6248)	100%	100%	To Be Established	100%	100%	100%
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							
S	Number of continuing legal education hours and in-house training hours (LAPAS CODE - 10451)	375	711	To Be Established	650	650	650
This indicator definition includes several areas of training that are necessary for the adequate continuing education of employees; namely, CLE hours, in-house case staffing hours, and externally provided opportunities. The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							



## Criminal Law and Medicaid Fraud General Performance Information

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Number of cases opened (LAPAS CODE - 12322)	203	275	958	1,125	1,277
Number of cases closed (LAPAS CODE - 12323)	169	213	543	777	971
Number of recusals received (LAPAS CODE - 12324)	184	210	211	243	362
Number of requests for assistance (LAPAS CODE - 12325)	19	65	53	52	64
Number of investigative requests (LAPAS CODE - 13917)	Not Available	Not Available	14	18	44
The information was not tracked until FY 2000-2001.					
Number of referrals received (LAPAS CODE - 13919)	Not Available	Not Available	52	58	43
The information was not tracked until FY 2000-2001.					
Total Number of consultations provided by Criminal Division (LAPAS CODE - 13921)	Not Available	Not Available	40	47	26
The information was not tracked until FY 2000-2001.					
Number of extraditions processed (LAPAS CODE - 520)	248	252	257	242	209
Number of insurance fraud consultations (LAPAS CODE - 13923)	Not Available	Not Available	21	41	26
The information was not tracked until FY 2000-2001.					
Number of forensic exams conducted (LAPAS CODE - 13924)	Not Available	Not Available	4	34	35
The information was not tracked until FY 2000-2001.					
Number of request for opinions (LAPAS CODE - 12327)	24	23	19	21	25
Number of habeas corpus received (LAPAS CODE - 13925)	Not Available	Not Available	224	254	248
The information was not tracked until FY 2000-2001.					
Number of complaints received (LAPAS CODE - 13926)	Not Available	Not Available	2	1	1
The information was not tracked until FY 2000-2001.					
Number of parishes served (LAPAS CODE - 12328)	39	41	64	64	64
Number of expungement request received (LAPAS CODE - 13927)	Not Available	Not Available	82	155	220
The information was not tracked until FY 2000-2001. The FY 2000-01 Prior Year Actual data was tracked during the period of January 1, 2001 through June 30, 2001.					

## 2. (SUPPORTING) Through the Investigation Division, to provide at least 1,500 hours of investigative training.

Strategic Link: This operational objective is related to the program's Strategic Objective IV.1: To improve the overall efficiency and productivity of the Investigation Division employees by enhancing the employees job knowledge, ability and career development by June 30, 2006.





Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

### Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
S	Percentage of investigative staff who participated internal/external training sessions (LAPAS CODE - 6249)	100%	100%	To Be Established	100%	100%	100%
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							
S	Percentage of investigative staff who participated in firearms qualification session during most recent calendar year (LAPAS CODE - 6250)	100%	100%	To Be Established	100%	100%	100%
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							
S	Total training hours provided for investigative staff (LAPAS CODE - 514)	1,500	1,673	To Be Established	1,500	1,500	1,500
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							

### Criminal Law and Medicaid Fraud General Performance Information

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Number of criminal investigations initiated (LAPAS CODE - 12329)	301	1,055	561	270	369



**Criminal Law and Medicaid Fraud General Performance Information (Continued)**

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Number of criminal investigations closed (LAPAS CODE - 12330)	241	966	546	226	212
Number of task force/joint investigations conducted (LAPAS CODE - 12331)	139	835	39	20	84
Number of arrests (LAPAS CODE - 12332)	113	132	48	25	112
Number of citizen complaints handled or resolved (LAPAS CODE - 12333)	258	232	248	350	363

**3. (KEY) To decrease individual internal time frames for investigation and prosecution of criminal cases.**

Strategic Link: This operational objective is related to the program's Strategic Objective I.1: To provide prompt, efficient, and just resolution of all matters referred to the Criminal Division, to promote confidence in the division from the law enforcement agencies and district attorneys with whom the division comes into contact, June 30, 2006.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

Explanatory Note: To assure efficiency and effectiveness, the Criminal Division and Investigation Division have established internal time frames for various investigative and prosecutorial activities. In FY 2004-2005, each of these individual internal time frames will be either maintained at FY 2003-2004 level--that is, held to the current performance standard for average time frame--or reduced below current performance standards.



## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
K	Average number of working days to begin coordination of effort between investigator and prosecutor (LAPAS CODE - 6251)	4	1	5	4	3	3
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							
K	Average number of working days for initial contact with victim(s)/ witness(es) from date of initial consultation between attorney and investigator (LAPAS CODE - 6252)	4	2	5	4	3	3
This indicator is measured from the time a case is assigned to a prosecutor until contact with the victim(s) and witness(es). The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							
S	Cooperative Disability Investigations Pilot Project: Percentage of social security benefit applications that are accepted for investigation in which a full civil records check is conducted within three working days of the first consultative examination (LAPAS CODE - NEW)	Not Applicable	Not Applicable	Not Applicable	100%	100%	100%
The Cooperative Disability Investigations pilot project in the Investigations Division is an anti-fraud program of the Disability Determination Services to identify and investigate possible violations of social security disability laws through an evaluation and assessment of claimant information, claimant activities, and facilitators of disability services. The project is conducted through an interagency agreement between the Department of Justice and the Department of Social Services, Bureau of Disability Determination Services. This indicator is replacing the previous indicator 'Average number of working days from receipt of disability case to completion of initial review to accept or decline case' because the investigators do not have an active role in deciding whether or not a case will be investigated. This performance indicator did not appear under Act 13 of 2002 or Act 14 of 2003 and does not have performance standards for FY 2002-2003 or FY 2003-2004. The value shown for existing performance standard is an estimate of yearend FY 2003-2004 performance not a performance standard. 'Full records check' includes any civil suits, voter registration activity, local criminal record checks, mortgage and conveyance records.							
S	Insurance Fraud Section: Average number of working days after receipt of DOI insurance fraud complaint referral to assignment of prosecutor (LAPAS CODE - 10454)	5	1	To Be Established	2	2	2



## Performance Indicators (Continued)

Level	Performance Indicator Values						
	Yearend Performance Standard	Actual Yearend Performance	Performance Standard as Initially Appropriated	Existing Performance Standard	Performance At Continuation Budget Level	Performance At Executive Budget Level	
	FY 2002-2003	FY 2002-2003	FY 2003-2004	FY 2003-2004	FY 2004-2005	FY 2004-2005	
	Per Act 1312 of 1999, the Department of Justice (DOJ) provides legal services to the Department of Insurance (DOI) and the Louisiana State Police (LSP) Insurance Fraud Unit in the investigation and prosecution on insurance fraud cases. Over the past couple of years, the function of DOJ prosecutors has evolved in matters involving insurance fraud. Initially it was the intention of the DOJ to track the number of days to complete an initial review of cases to determine and then to contact appropriate District Attorneys. However, rather than referring cases to the DOJ to review and forward to District Attorneys, State Police is using DOJ prosecutors as consultants during investigations. Upon completion of investigations, they are forwarding the cases themselves directly to the appropriate District Attorneys. The DOJ prosecutors are then only reviewing and referring cases that are investigated by the DOJ investigators resulting in a substantially reduced number of cases in which they actually review and contact District Attorneys. Consequently, the DOJ has decided to replace two indicators previously reported regarding review and contacting District Attorneys with two new indicators that better reflect the workload handled by the DOJ prosecutors. The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.						
S	Insurance Fraud Section: Percentage attendance of DOJ personnel at monthly information-sharing meeting of insurance industry and task force representatives (LAPAS CODE - 13946)	100%	100%	To Be Established	100%	100%	100%
	Insurance fraud investigators attend monthly meetings of the insurance industry that support the State Insurance Task Force. Contact with the individuals at these meetings are important for training, for liaison purposes, and for information sharing. The presence of DOJ prosecutors is important to provide guidance and training to improve information collection. The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.						
S	Insurance Fraud Section: Percentage of case consultation requests handled within 2 working days (LAPAS CODE - 13947)	100%	100%	To Be Established	100%	100%	100%
	Attorneys in the Insurance Fraud Unit receive regular phone calls for consultation from State Police investigators and DOJ criminal investigators regarding matters of insurance fraud. These consultations are an integral part of the daily work of DOJ prosecutors as they advise investigators how to proceed with a criminal investigation. These consultations may include listening to case facts to determine if a crime has been committed or validity of search and arrest warrants. Many consultations continue through the duration of the case. Each consultation is tracked. The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.						
S	Extraditions: Average number of working days to process extradition requests (LAPAS CODE - 519)	5	4	To Be Established	5	4	4
	Extradition requests in this context do not include those cases with problems that are beyond the control of the department. For information on number of extradition request processed by the department, see the Criminal Division General Performance Information chart. The average number of working days does not include time during which the Criminal Division is awaiting further documentation from referring jurisdictions. The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.						



**4. (KEY) Through the Medicaid Fraud Control Unit (MFCU), to provide 25 training programs for state agency personnel and health care providers in the area of prevention and detection of Medicaid fraud and abuse of the infirm and initiate 4 additional proactive projects to detect abuse of the infirm and Medicaid fraud.**

Strategic Link: This operational objective is related to the program's Strategic Objective III.1: Make available to the District Attorneys in the services of specialized prosecution units through June 30, 2006.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

Explanatory Note: The MFCU is part of a collaborative effort to prevent and combat health care fraud and abuse. Other participants are the Governor's Office of Elderly Affairs, the Department of Health and Hospitals, the American Association of Retired Persons (AARP); the Senior Health Insurance Information Program (SHIIP) in the Department of Insurance; the U.S. Health Care Financing Administration; and area agencies on aging. Louisiana's efforts include the design of a training package and "train the trainer" approach which will enable Louisiana aging network personnel and others to assist beneficiaries understand and identify discrepancies and reporting procedures. The state plans to develop an outreach campaign using printed materials; tracking instruments; training packages and videos, and other educational material. For information on program inputs, outputs, and outcomes, see Medicaid Fraud General Performance Information table. For information on national efforts to prevent Medicaid and Medicare fraud and abuse of the elderly, see the federal Administration on Aging's web page on Anti-Fraud and Abuse Activities (<http://www.aoa.dhhs.gov/ort/default.htm>).

## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
K	Number of training programs for state agency personnel and health care providers provided by MFCU (LAPAS CODE - 525)	25	27	20	25	25	25
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							
K	Number of proactive projects to detect abuse of the infirm and Medicaid fraud initiated during fiscal year (LAPAS CODE - 526)	4	4	3	4	4	4
The FY 03-04 performance standard as initially appropriated was revised by an August 15th Performance Standard Adjustment Request approved on September 19, 2003.							

## Criminal Law and Medicaid Fraud General Performance Information

Performance Indicator Name	Performance Indicator Values					
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003	
Number of investigations pending from previous fiscal year (LAPAS CODE - 12335)	258	301	256	235	306	
Number of investigations initiated (LAPAS CODE - 12337)	228	191	185	267	279	
Number of investigations closed (LAPAS CODE - 12339)	142	235	218	193	282	
Number of prosecutions instituted (LAPAS CODE - 12341)	48	55	37	58	62	
Number of prosecutions referred to a district attorney (LAPAS CODE - 12343)	48	55	37	58	62	
Number of convictions (LAPAS CODE - 12345)	46	43	33	40	44	
Number of prosecutions pending at end of fiscal year (LAPAS CODE - 12346)	46	47	42	48	60	
Total dollar amount of collections - all sources (LAPAS CODE - 12347)	\$ 748,797	\$ 1,325,604	\$ 1,048,804	\$ 3,122,843	\$ 2,242,989	
Dollar amount of criminal court ordered restitution collected (LAPAS CODE - 12348)	\$ 315,996	\$ 508,384	\$ 410,752	\$ 458,601	\$ 88,343	
Dollar amount of fines collected (LAPAS CODE - 12350)	\$ 41,001	\$ 31,421	\$ 8,729	\$ 54,628	\$ 28,537	



**Criminal Law and Medicaid Fraud General Performance Information (Continued)**

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Dollar amount of civil monetary penalty collected (LAPAS CODE - 12352)	\$ 353,535	\$ 187,510	\$ 299,375	\$ 426,140	\$ 610,872
Dollar amount of investigation/prosecution costs collected (LAPAS CODE - 12353)	\$ 15,760	\$ 34,796	\$ 31,522	\$ 30,182	\$ 2,133
Dollar amount of restitution collected administratively (LAPAS CODE - 12354)	\$ 22,505	\$ 563,493	\$ 298,426	\$ 2,153,292	\$ 1,513,104
Total judgments obtained during fiscal year - all sources (LAPAS CODE - 12358)	3,346,227	1,812,278	852,385	5,114,984	590,668
Dollar amount of criminal court ordered restitution collected (LAPAS CODE - 12360)	\$ 2,944,215	\$ 965,683	\$ 283,123	\$ 2,079,043	\$ 247,893
Dollar amount of finds ordered (LAPAS CODE - 12362)	\$ 40,694	\$ 31,421	\$ 8,729	\$ 89,628	\$ 28,537
Dollar amount of civil monetary penalty ordered (LAPAS CODE - 12363)	\$ 351,828	\$ 353,213	\$ 285,938	\$ 1,308,525	\$ 174,439
Dollar amount of investigation/prosecution costs ordered (LAPAS CODE - 12365)	\$ 9,490	\$ 60,269	\$ 46,000	\$ 43,500	\$ 7,133
Dollar amount of administrative restitution ordered (LAPAS CODE - 12367)	\$ 24,000	\$ 401,692	\$ 228,595	\$ 1,594,288	\$ 132,666
Total judgment balance outstanding at end of fiscal year - all sources (LAPAS CODE - 12369)	\$ 15,734,794	\$ 16,784,961	\$ 16,939,291	Not Available	Not Available



## 141\_4000 — Risk Litigation

Program Authorization: Act 448 of 1988 (created Litigation Division); Act 107 of 1999 (reauthorized Litigation Section); R.S. 36:701(D) and 704(F); R.S. 39:1533(B)

### Program Description

The mission of the Risk Litigation Program is to provide legal representation for the Office of Risk Management, the Self- Insurance Fund, the State of Louisiana and its departments, agencies, boards and commissions and their officers, officials, employees, and agents in all claims covered by the State Self-Insurance Fund, and in all tort claims whether or not covered by the Self-Insurance Fund.

The goals of the Risk Litigation Program are:

- I. Provide superior legal and professional services to the Office of Risk Management.
- II. Continue to develop extensive expertise in the defense of public entities, officials, and employees, and strive to retain highly competent and professional litigation staff.
- III. Continue to develop programs to educate agency policy makers to recognize and correct potential liability situations.

The Litigation Division is divided into five substantive law sections: Civil Rights, General Liability, Medical Malpractice, Road Hazards, and Workers' Compensation. The division has five regional offices (in Alexandria, Lafayette, Lake Charles, New Orleans, and Shreveport) that handle litigation filed in the geographical areas covered by the regional offices.

- The Civil Rights Section represents state officials, employees, state agencies, and the State of Louisiana in damages action litigation brought on the basis of the Civil Rights Act of 1964, as amended; state statutes dealing with employment discrimination pursuant to R.S. 23:321 et seq; and prisoner suits brought pursuant to R.S. 15:1171 et seq. Defended actions also include diverse suits as Americans with Disabilities Act claims, Age Discrimination Act claims, Pregnancy Discrimination Act claims, Fair Labor Standards Act claims, and Federal Individualized Education Act (IDEA) suits. As an adjunct to Civil Rights Act suits, the section also defends claims for attorney's fees under 42 USC § 1988.
- The General Liability Section provides legal defense to the state, state agencies, and employees against tort litigation in regard to claims of personal injuries or property damages that allegedly occurred on state property or were caused by a state employee or officer.
- The Medical Malpractice Section is responsible primarily for handling malpractice cases against public health care providers (as defined by R.S. 40:1299.39).
- The Road Hazards Section provides legal defense to the Louisiana Department of Transportation and Development (DOTD) in all lawsuits for personal injury, property damage, wrongful death and business losses attendant to DOTD operations and/or conditions of DOTD roads, bridges, or other property. The section typically handles lawsuits involving maintenance, design, construction, and operations of DOTD's roads and bridges.





- The Workers' Compensation Section is responsible primarily for handling litigated workers' compensation matters filed against the state, along with providing support for other related concerns, such as advice to the Office of Risk Management regarding claims and handling of settlements, as appropriate. The section also is responsible for Jones Act and maritime matters filed by state employees and pursuit of subrogation claims that are referred by the Office of Risk Management.

## Risk Litigation Budget Summary

	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
<b>Means of Financing:</b>						
State General Fund (Direct)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
<b>State General Fund by:</b>						
Total Interagency Transfers	10,930,444	11,974,793	11,974,793	12,474,276	13,017,807	1,043,014
Fees and Self-generated Revenues	0	0	0	0	0	0
Statutory Dedications	0	0	0	0	0	0
Interim Emergency Board	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0
<b>Total Means of Financing</b>	<b>\$ 10,930,444</b>	<b>\$ 11,974,793</b>	<b>\$ 11,974,793</b>	<b>\$ 12,474,276</b>	<b>\$ 13,017,807</b>	<b>\$ 1,043,014</b>
<b>Expenditures &amp; Request:</b>						
Personal Services	\$ 9,227,742	\$ 9,239,519	\$ 9,239,519	\$ 9,868,338	\$ 10,425,101	\$ 1,185,582
Total Operating Expenses	1,225,116	991,606	991,606	866,983	854,087	(137,519)
Total Professional Services	14,568	171,375	171,375	171,711	171,375	0
Total Other Charges	277,536	938,293	938,293	1,303,460	1,303,460	365,167
Total Acq & Major Repairs	185,482	634,000	634,000	263,784	263,784	(370,216)
Total Unallotted	0	0	0	0	0	0
<b>Total Expenditures &amp; Request</b>	<b>\$ 10,930,444</b>	<b>\$ 11,974,793</b>	<b>\$ 11,974,793</b>	<b>\$ 12,474,276</b>	<b>\$ 13,017,807</b>	<b>\$ 1,043,014</b>
<b>Authorized Full-Time Equivalents:</b>						
Classified	0	0	0	0	0	0
Unclassified	171	171	171	171	171	0
<b>Total FTEs</b>	<b>171</b>	<b>171</b>	<b>171</b>	<b>171</b>	<b>171</b>	<b>0</b>

## Source of Funding

This program is funded with Interagency Transfers. Interagency Transfers are derived from the Office of Risk Management for investigative and legal services.



## Major Changes from Existing Operating Budget

General Fund	Total Amount	Table of Organization	Description
\$ 0	\$ 0	0	<b>Mid-Year Adjustments (BA-7s):</b>
\$ 0	\$ 11,974,793	171	<b>Existing Oper Budget as of 12/02/03</b>
<b>Statewide Major Financial Changes:</b>			
0	367,904	0	Unclassified State Employees Merit Increases
0	110,179	0	State Employee Retirement Rate Adjustment
0	77,823	0	Group Insurance for Active Employees
0	43,302	0	Group Insurance for Retirees
0	263,784	0	Acquisitions & Major Repairs
0	(634,000)	0	Non-Recurring Acquisitions & Major Repairs
0	365,167	0	Rent in State-Owned Buildings
<b>Non-Statewide Major Financial Changes:</b>			
0	2,271	0	Realignment of expenditures funded with Interagency Transfers (IAT) from various state agencies. This adjustment allows the department to adjust the expenditures amounts based on the IAT agreements from each state agency.
0	446,584	0	Funding to increase the attorney salary scale to a level of pay that is comparable to the State Civil Service pay scale. Based on the current State Civil Service pay scale, the Department of Justice's maximum attorney salary level is approximately 6-15% less than State Civil Service maximum salary level for comparable positions. This increase in funding would equate to an approximate 7.5% increase to the base salary for each attorney.
\$ 0	\$ 13,017,807	171	<b>Recommended FY 2004-2005</b>
\$ 0	\$ 0	0	<b>Less Governor's Supplementary Recommendations</b>
\$ 0	\$ 13,017,807	171	<b>Base Executive Budget FY 2004-2005</b>
\$ 0	\$ 13,017,807	171	<b>Grand Total Recommended</b>

## Professional Services

Amount	Description
\$100,000	Trial Advocacy Skills Program
\$19,000	Legal writing seminar (Law Prose, Dallas, TX)
\$52,375	Additional contract services required by the Risk Litigation Program to carry out the mission of the department.
<b>\$171,375</b>	<b>TOTAL PROFESSIONAL SERVICES</b>



## Other Charges

Amount	Description
<b>Other Charges:</b>	
\$18,640	Utilization of court reporters, travel of witnesses, court costs, etc.
<b>\$18,640</b>	<b>SUB-TOTAL OTHER CHARGES</b>
<b>Interagency Transfers:</b>	
\$1,095,501	Rent in the Livingston Building
\$65,614	Office of Risk Management fees
\$123,705	Office of Telecommunication Management fees
<b>\$1,284,820</b>	<b>SUB-TOTAL INTERAGENCY TRANSFERS</b>
<b>\$1,303,460</b>	<b>TOTAL OTHER CHARGES</b>

## Acquisitions and Major Repairs

Amount	Description
\$126,000	Replacement of Library Reference materials
\$28,000	Replacement of one high mileage vehicle
\$109,784	Replacement of computer and office equipment
<b>\$263,784</b>	<b>TOTAL ACQUISITIONS AND MAJOR REPAIRS</b>

## Performance Information

### 1. (KEY) To better utilize the funds available to the Office of Risk Management for legal expenses by handling in-house at least 75% of risk litigation cases opened during the fiscal year.

Strategic Link: This operational objective is an incremental step toward accomplishment of the program's Strategic Objective I.1: To better utilize the funds available to the Office of Risk Management for legal expenses by increasing the percentage of all risk litigation cases handled in-house to 80% by June 30, 2006.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
K	Percentage of new risk litigation cases handled in-house (LAPAS CODE - 527)	78%	70%	70%	70%	70%	75%
S	Number of continuing legal education (CLE) hours provided (LAPAS CODE - 534)	15	15	To Be Established	15	15	15
Fifteen hours of continuing legal education each calendar year are required by the Louisiana Bar Association. This performance indicator was revised by an August 15th Performance Standard Adjustment approved on September 19, 2003.							
S	Percentage of required CLE provided (LAPAS CODE - 6254)	100%	100%	To Be Established	100%	100%	100%
Fifteen hours of continuing legal education each calendar year are required by the Louisiana Bar Association. This performance indicator was revised by an August 15th Performance Standard Adjustment approved on September 19, 2003. This performance indicator was revised by an August 15th Performance Standard Adjustment approved on September 19, 2003.							



<b>GENERAL PERFORMANCE INFORMATION: RISK LITIGATION</b>			
FISCAL YEAR	ALL CASES IN LITIGATION		
	NUMBER OF CASES	LEGAL FEES AND EXPENSES (In \$ Millions)	AVERAGE COST PER CASE
89-90	5,057	\$13.44	\$2,658
90-91	5,947	\$16.56	\$2,785
91-92	6,823	\$20.06	\$2,940
92-93	7,000	\$22.83	\$3,261
93-94	7,430	\$22.83	\$3,073
94-95	6,708	\$14.90	\$2,221
95-96	7,250	\$16.79	\$2,316
96-97	6,241	\$17.64	\$2,826
97-98	6,281	\$16.20	\$2,579
98-99	6,169	\$17.12	\$2,775
99-00	4,813	\$21.50	\$4,469
00-01	7,046	\$20.44	\$2,901
01-02	7,340	\$24.38	\$3,322
02-03	6,699	\$25.59	\$3,820



<b>GENERAL PERFORMANCE INFORMATION: RISK LITIGATION</b>					
FISCAL YEAR	<b>CASES ASSIGNED TO PRIVATE CONTRACT ATTORNEYS</b>				
	NUMBER OF CASES	PERCENT OF TOTAL CASES	LEGAL FEES AND EXPENSES (In \$ Millions)	PERCENT OF TOTAL FEES	AVERAGE COST PER CASE
89-90	2,364	47%	\$10.83	81%	\$4,581
90-91	3,755	63%	\$13.65	82%	\$3,635
91-92	4,647	68%	\$17.10	85%	\$3,680
92-93	4,000	57%	\$20.13	88%	\$5,033
93-94	3,501	47%	\$19.63	86%	\$5,607
94-95	2,343	35%	\$9.50	64%	\$4,055
95-96	2,000	28%	\$8.50	51%	\$4,250
96-97	1,490	24%	\$9.74	55%	\$6,537
97-98	1,612	26%	\$7.98	49%	\$4,950
98-99	1,229	20%	\$8.08	47%	\$6,574
99-00	1,001	21%	\$11.40	53%	\$11,369
00-01	2,250	32%	\$9.91	48%	\$4,404
01-02	2,639	36%	\$13.44	55%	\$5,093
02-03	2,733	41%	\$14.69	57%	\$5,375



GENERAL PERFORMANCE INFORMATION: RISK LITIGATION							
FISCAL YEAR	CASES HANDLED BY THE LITIGATION DIVISION						
	NUMBER OF CASES	PERCENT OF TOTAL CASES	TOTAL EXPENDITURES (In \$ Millions)	PERCENT OF TOTAL FEES	AVERAGE COST PER CASE	NUMBER OF TRIAL ATTORNEYS	AVERAGE CASE LOAD
89-90	2,693	53%	\$2.61	19%	\$969	30	89.8
90-91	2,192	37%	\$2.91	18%	\$1,328	30	73.1
91-92	2,176	32%	\$2.96	15%	\$1,360	30	72.5
92-93	3,000	43%	\$2.70	12%	\$900	30	100.0
93-94	3,929	53%	\$3.20	14%	\$814	45	87.3
94-95	4,365	65%	\$5.40	36%	\$1,237	68	64.2
95-96	5,250	72%	\$8.29	49%	\$1,579	69	76.1
96-97	4,751	76%	\$7.90	45%	\$1,663	69	68.9
97-98	4,669	74%	\$8.22	51%	\$1,761	71	65.8
98-99	4,940	80%	\$9.04	53%	\$1,830	71	69.6
99-00	3,812	79%	\$10.10	47%	\$2,657	71	53.7
00-01	4,796	68%	\$10.53	52%	\$2,196	71	67.5
01-02	4,701	64%	\$10.94	45%	\$2,327	71	66.2
02-03	3,966	59%	\$10.90	43%	\$2,748	64	62.0



GENERAL PERFORMANCE INFORMATION: RISK LITIGATION -- NEW CASE ASSIGNMENTS					
FISCAL YEAR	TOTAL NUMBER OF NEW CASES ASSIGNED	NUMBER OF NEW CASES ASSIGNED TO CONTRACT ATTORNEYS	NUMBER OF NEW CASES ASSIGNED TO LITIGATION ATTORNEYS	PERCENTAGE OF NEW CASES ASSIGNED TO CONTRACT ATTORNEYS	PERCENTAGE OF NEW CASES ASSIGNED TO IN-HOUSE ATTORNEYS
93-94	1,830	142	1,688	7.8%	91.2%
94-95	1,878	243	1,635	12.9%	87.1%
95-96	2,189	209	1,980	9.6%	90.5%
96-97	1,860	213	1,647	11.5%	88.6%
97-98	1,862	266	1,596	14.3%	85.7%
98-99	1,541	336	1,205	21.8%	78.2%
99-00	1,688	299	1,389	17.7%	82.3%
00-01	1,636	360	1,276	22.0%	78.0%
01-02	1,539	460	1,079	29.9%	70.1%
02-03	1,548	458	1,090	29.6%	70.4%





## 141\_5000 — Gaming

Program Authorization: La. Constitution, Article IV, Section 8; R.S. 36:701(D); R.S. 36:704(H); R.S. 27:1 et seq. (the Louisiana Gaming Control Board); Act 7 of the First Extraordinary Session of 1996; Act 888 of 1990 and Act 817 of 1993 (Indian gaming); R.S. 4:141 et seq. (the La. State Racing Commission); R.S. 4:701.1 et seq. (the Office of Charitable Gaming, Department of Revenue); and R.S. 47:9001 et seq. (the Louisiana Lottery Corporation); R.S. 27:351 et seq. (Louisiana Pari-Mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act).

### Program Description

The mission of the Gaming Program is to serve the Louisiana Gaming Control Board and other client agencies in a manner that creates a regulatory atmosphere for licensed gaming which instills public confidence and trust that gaming activities are conducted honestly and are free from criminal and corruptive elements; to ensure the integrity of individual gaming entities by the regulation of persons, practices, associations, and activities within the gaming industry; and to anticipate and support necessary corrective rulemaking and legislation.

The goals of the Gaming Program are:

- I. Provide superior legal and professional services to the State of Louisiana.
- II. Improve cooperative working relationships with federal, state, and local agencies and private sector organizations.

The Gaming Program has responsibilities related to: Louisiana Gaming Control Board; Riverboat, Video Poker, and Slot Machine Gaming at Live Racing Facilities; Louisiana Lottery Corporation; State Racing Commission; Charitable Gaming; Land-based Casino; and Indian Gaming.

- Louisiana Gaming Control Board: The Gaming Program provides representation, legal advice, and counsel to the Louisiana Gaming Control Board in areas of land-based casino, riverboat, video poker gaming, slot machine gaming at race tracks, and gaming on Indian lands.
- Riverboat, Video Poker, and Slot Machine Gaming at Live Racing Facilities: The Gaming Program provides legal advice and representation to the Louisiana Gaming Control Board (LGCB) and Louisiana State Police (LSP) in all areas of gaming regulation, including licensing, enforcement, and rulemaking as well as prosecuting administrative actions, including denials of applications, suspensions, revocations, and civil penalties. The Gaming Program assists in the review of files and applications; represents the board and the LSP in judicial appeals of administrative actions; and defends the board and the LSP in other civil litigation related to gaming.
- Louisiana Lottery Corporation (LLC): The Gaming Program staff attends meetings of the Louisiana Lottery Corporation, providing legal advice and counsel on an as-needed basis to the LLC on wide ranging issues concerning operation of the lottery in accordance with the statutory provisions. The Gaming Program participates in the review of requests for proposals issued by the lottery for the solicitation of services to the LLC and provides legal defense in certain matters instituted against the LLC.
- State Racing Commission: The Gaming Program provides legal representation and counsel to the Louisiana State Racing Commission in all matters regarding the regulation of the horse racing industry, pari-mutuel wagering and off-track wagering. The Gaming Program prosecutes administrative actions on behalf of the commission and defends the commission in all civil litigation to which it is a party.



- **Charitable Gaming:** The Gaming Program provides legal advice and representation to the Office of Charitable Gaming in the Department of Revenue in all areas of gaming regulation, including licensing, enforcement, and rulemaking as well as prosecuting administrative actions, including denials of applications, suspensions, revocations, and civil penalties. The Gaming Program assists in the review of files and applications; represents the Office of Charitable Gaming in judicial appeals of administrative actions; and defends the Office of Charitable Gaming in other civil litigation related to gaming.
- **Land-based Casino:** The Gaming Program provides legal advice and representation to the Louisiana Gaming Control Board and the Louisiana State Police (LSP) in all areas of gaming regulation, including licensing, enforcement, and rulemaking as well as prosecuting administrative actions, including denials of applications suspensions, revocations, and civil penalties. The Gaming Program assists in the review of files and applications; represents the board and the LSP in judicial appeals of administrative actions; and defends the board and the LSP in other civil litigation related to gaming. The program also assists in the negotiation and redrafting of a new casino operating agreement with the casino gaming operator.
- **Indian Gaming:** The Gaming Program advises the Louisiana Gaming Control Board on matters of Indian gaming and Indian law. The program provides legal counsel to the Louisiana State Police Indian Casino Gaming Division; handles all reviews of the denial, suspension, and revocation of state certification to work for or do business with Indian casinos; and serves as a resource for numerous state agencies for information on Indian gaming and Indian law.

## Gaming Budget Summary

	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
<b>Means of Financing:</b>						
State General Fund (Direct)	\$ 315,908	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
<b>State General Fund by:</b>						
Total Interagency Transfers	138,837	170,112	170,112	174,418	174,418	4,306
Fees and Self-generated Revenues	102,860	90,432	90,432	89,058	89,058	(1,374)
Statutory Dedications	4,241,327	4,805,153	5,241,182	4,985,189	5,065,728	(175,454)
Interim Emergency Board	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0
<b>Total Means of Financing</b>	<b>\$ 4,798,932</b>	<b>\$ 5,065,697</b>	<b>\$ 5,501,726</b>	<b>\$ 5,248,665</b>	<b>\$ 5,329,204</b>	<b>\$ (172,522)</b>
<b>Expenditures &amp; Request:</b>						
Personal Services	\$ 3,855,189	\$ 3,327,912	\$ 3,327,912	\$ 3,478,672	\$ 3,594,122	\$ 266,210
Total Operating Expenses	338,941	431,929	431,929	393,286	267,138	(164,791)
Total Professional Services	245,121	558,137	994,166	611,822	703,059	(291,107)
Total Other Charges	71,553	527,219	527,219	527,219	527,219	0
Total Acq & Major Repairs	288,128	220,500	220,500	237,666	237,666	17,166
Total Unallotted	0	0	0	0	0	0



## Gaming Budget Summary

	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
<b>Total Expenditures &amp; Request</b>	\$ 4,798,932	\$ 5,065,697	\$ 5,501,726	\$ 5,248,665	\$ 5,329,204	\$ (172,522)
<b>Authorized Full-Time Equivalents:</b>						
Classified	0	0	0	0	0	0
Unclassified	57	58	58	58	58	0
<b>Total FTEs</b>	57	58	58	58	58	0

## Source of Funding

This program is funded with the Interagency Transfers and Fees and Self-generated Revenues and Statutory Dedications. Interagency Transfers are derived from various state agencies for investigative and legal services as pertaining to gaming industry. Fees and Self-generated Revenues are derived from the Louisiana Lottery Commission. The Statutory Dedications are provided from the Riverboat Gaming Enforcement Fund and the Pari-Mutuel Live Racing Facility Gaming Control Fund. (Per R.S. 39.36B. (8), see table below for a listing of expenditures out of each Statutory Dedicated Fund.)

## Gaming Statutory Dedications

Fund	Prior Year Actuals FY 2002-2003	Enacted FY 2003-2004	Existing FY 2003-2004	Continuation FY 2004-2005	Recommended FY 2004-2005	Total Recommended Over/Under EOB
Riverboat Gaming Enforcement	\$ 3,913,153	\$ 4,382,166	\$ 4,818,195	\$ 4,562,202	\$ 4,532,492	\$ (285,703)
Pari-mutuel Live Racing Fac. Gaming Control Fund	328,174	422,987	422,987	422,987	533,236	110,249

## Major Changes from Existing Operating Budget

General Fund	Total Amount	Table of Organization	Description
\$ 0	\$ 436,029	0	<b>Mid-Year Adjustments (BA-7s):</b>
\$ 0	\$ 5,501,726	58	<b>Existing Oper Budget as of 12/02/03</b>
<b>Statewide Major Financial Changes:</b>			
0	124,663	0	Unclassified State Employees Merit Increases
0	40,203	0	State Employee Retirement Rate Adjustment
0	30,387	0	Group Insurance for Active Employees
0	(66,470)	0	Attrition Adjustment
0	(49,279)	0	Salary Funding from Other Line Items
0	237,666	0	Acquisitions & Major Repairs



## Major Changes from Existing Operating Budget (Continued)

General Fund	Total Amount	Table of Organization	Description
0	(220,500)	0	Non-Recurring Acquisitions & Major Repairs
0	(436,029)	0	Non-recurring Carry Forwards
<b>Non-Statewide Major Financial Changes:</b>			
0	(4,290)	0	Realignment of expenditures funded with Interagency Transfers (IAT) from various state agencies. This adjustment allows the department to adjust the expenditures amounts based on the IAT agreements from each state agency.
0	141,717	0	Funding to increase the attorney salary scale to a level of pay that is comparable to the State Civil Service pay scale. Based on the current State Civil Service pay scale, the Department of Justice's maximum attorney salary level is approximately 6-15% less than State Civil Service maximum salary level for comparable positions. This increase in funding would equate to an approximate 7.5% increase to the base salary for each attorney.
0	100,000	0	Funding to increase the amount of professional service contracts associated with additional legal issues related to the eligibility of the racetrack facility in New Orleans to operate slot machines.
0	(30,387)	0	Group Insurance Funding from Other Line Items
0	(40,203)	0	Retirement Funding from Other Line Items
\$ 0	\$ 5,329,204	58	<b>Recommended FY 2004-2005</b>
\$ 0	\$ 0	0	<b>Less Governor's Supplementary Recommendations</b>
\$ 0	\$ 5,329,204	58	<b>Base Executive Budget FY 2004-2005</b>
\$ 0	\$ 5,329,204	58	<b>Grand Total Recommended</b>

## Professional Services

Amount	Description
\$200,000	Legal Services dealing with the Bankruptcy of Harrah's Jazz Co. (Taylor, Porter, Brooks & Phillips, Baton Rouge)
\$30,000	Legal Services for the Gaming Control Board (Allen & Gooch, Baton Rouge)
\$45,000	Legal Services for the Gaming Control Board (P. Raymond Lamonica, Baton Rouge)
\$428,059	Additional contract services required by the Risk Litigation Program to carry out the mission of the department.
<b>\$703,059</b>	<b>TOTAL PROFESSIONAL SERVICES</b>

## Other Charges

Amount	Description
<b>Other Charges:</b>	
\$2,164	Court Reporters, travel for witnesses, etc
\$315,946	Costs associated with slots at the track
<b>\$318,110</b>	<b>SUB-TOTAL OTHER CHARGES</b>



## Other Charges (Continued)

Amount	Description
<b>Interagency Transfers:</b>	
\$92,350	Office of Telecommunication Management fees
\$45,444	Office of Risk Management fees
\$71,315	Rent in the Livingston Building
<b>\$209,109</b>	<b>SUB-TOTAL INTERAGENCY TRANSFERS</b>
<b>\$527,219</b>	<b>TOTAL OTHER CHARGES</b>

## Acquisitions and Major Repairs

Amount	Description
\$74,166	Replacement of computer and office equipment
\$110,000	Replacement of 6 high mileage vehicles
\$53,500	Replacement of library reference materials
<b>\$237,666</b>	<b>TOTAL ACQUISITIONS AND MAJOR REPAIRS</b>

## Performance Information

### 1. (KEY) To review and process video poker application files within an average of 40 calendar days.

Strategic Link: This operational objective is related to the program's Strategic Objective II.2: Improve efficiency in assisting the Louisiana Gaming Control Board and State Police in processing files of applicants, licensees and permittees.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable

Explanatory Note: The Gaming Division reviews new application files for Licenses III-VIII. These include Hotel/Motel (III), Horsetrack/Offtrack (IV), Truckstop (V), Device Owner (VI), Service Vendor (VII), Distributor (VIII). The Gaming Division also reviews applications that are recommended for denial by the Louisiana State Police in all licensed categories. In addition to III-VIII, these include Bar/Lounge (I) and Restaurant (II). Type IX licenses have been converted to permits.

## Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
K	Average time to process video poker application file (in calendar days) (LAPAS CODE - 535)	50	22	45	45	40	40

## Gaming General Performance Information

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Number of video poker application files reviewed (LAPAS CODE - 537)	138	178	129	65	81
Number of administrative action letters drafted/ issued (video poker) (LAPAS CODE - 12376)	117	66	81	142	133
This number represents figures reported in LaPAS for FY 01-02 yearend performance and an additional 24 notices of denial of applications for video poker licenses. In the future years, this figure includes notices of denial of applications for video poker licenses.					
Number of administrative hearings held (video poker) (LAPAS CODE - 539)	120	161	83	311	305
The Louisiana Gaming Control Board, successor in authority to the Louisiana Economic Development and Gaming Corporation, Riverboat Gaming Commission, and the Riverboat Gaming Enforcement Division and Video Gaming Division of the Louisiana State Police, came into operation May 1, 1996. The first hearings which the Louisiana Gaming Control Board held began on September 23, 1997.					
Number of judicial appeals (LAPAS CODE - 12380)	7	2	1	0	3

### 2. (KEY) To review and process casino gaming application files within an average of 30 calendar days.

**Strategic Link:** This operational objective is related to the program's Strategic Objective II.2: Improve efficiency in assisting the Louisiana Gaming Control Board and State Police in processing files of applicants, licensees and permittees.

Louisiana: Vision 2020 Link: Not Applicable

Children's Budget Link: Not Applicable

Human Resource Policies Beneficial to Women and Families Link: Not Applicable

Other Link(s) (TANF, Tobacco Settlement, Workforce Development Commission, Other): Not Applicable



Explanatory Note: This objective was re-worded in the FY 2002-2003 Operational Plan to reflect a change in the manner in which application files for various forms of gaming are reviewed. Act No. 1222 of the 2001 Regular Legislative Session provided for standard and uniform permits which are valid in all of the following forms of gaming: Riverboat, Land-based Casino and Racetrack Gaming. The recipient of such may utilize such a permit to engage in any/all of the referenced areas of gaming. As a result, there will be no distinction between these forms of gaming for purposes of the Gaming Division's review of application files, excepting the review of applications for or renewal of licensees. Note also that State Police has re-aligned their enforcement divisions to reflect "casino" gaming as inclusive of Riverboat, Land-based casino and Racetrack Gaming.

### Performance Indicators

L e v e l	Performance Indicator Name	Performance Indicator Values					
		Yearend Performance Standard FY 2002-2003	Actual Yearend Performance FY 2002-2003	Performance Standard as Initially Appropriated FY 2003-2004	Existing Performance Standard FY 2003-2004	Performance At Continuation Budget Level FY 2004-2005	Performance At Executive Budget Level FY 2004-2005
K	Average time to review and process casino gaming application file (in calendar days) (LAPAS CODE - 10464)	30	34	30	30	30	30

### Gaming General Performance Information

Performance Indicator Name	Performance Indicator Values				
	Prior Year Actual FY 1998-1999	Prior Year Actual FY 1999-2000	Prior Year Actual FY 2000-2001	Prior Year Actual FY 2001-2002	Prior Year Actual FY 2002-2003
Number of casino gaming application files reviewed (LAPAS CODE - 11895)	Not Applicable	Not Applicable	217	63	194
Beginning in FY 2000-2001, the values are obtained by adding the 'number of riverboat suitability files reviewed' with the 'number of riverboat employee application files reviewed and processed'. The indicators were combined to represent casino gaming application files (riverboat, land-based and racetrack) beginning in FY 2001-2002.					
Number of administrative action letters drafted/issued (casino gaming) (LAPAS CODE - 12383)	215	153	121	73	116
Beginning in FY 2001-2002, the values are obtained by adding the number of riverboat violation reports reviewed, the number of riverboat employee files reviewed and the number of land-based casino administrative action letters drafted/issued. The indicators were combined to represent the number of casino gaming administrative action letters drafted/issued. This change is consistent with the tracking of State Police. During the first quarter of FY 2001-2002, this figure represented riverboat cases only. Beginning in the second quarter of FY 2001-2002, the department combined riverboat, land-based casino, and racetrack gaming administrative action letters drafted/issued in its computation.					
Number of administrative hearings held (casino gaming) (LAPAS CODE - 543)	158	145	159	47	142
Number of judicial appeals (casino gaming) (LAPAS CODE - 544)	1	3	9	2	2



